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THE PROCEEDINGS IN THE LATE TREATY OF PEACE.

Together

With ſeverall Letters of his Majeſty to the Queen, and of Prince *Rupert* to the Earle of *Northampton*, which were intercepted and brought to the PARLIAMENT.

WITH

A Declaration of the Lords and Commons upon thoſe Proceedings and Letters.

ORdered by the Lords and Commons, that theſe Proceedings, Letters and Declaration be forthwith Printed.

H. Elſing Cler. Parliament. Dom. Com.

LONDON,
Printed for *Edward Husbands*, and are to be ſold at his Shop in the Middle Temple. 1643.

THE

PROCEEDINGS

IN THE LATE

TREATY

OF

PEACE

Together

With several Letters of his Majesty to the Queen, and of Prince Rupert to the Parliament Northampton, which were intercepted and brought to the PARLIAMENT.

WITH

A Declaration of the Lords and Commons upon those Proceedings and Letters.

Printed for Edward Husbands and are to be [illegible] Shop in the Middle Temple. 1642.

The humble Desires and Propositions of the Lords and Commons in Parliament assembled, tendred unto his Majestie: February *the first*, 1642.

WE your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, having in our thoughts the glory of God, your Majesties honour, and the prosperity of your People, and being most grievously afflicted with the pressing miseries & calamities which have overwhelmed your two Kingdomes of *England* and *Ireland*, since your Majesty hath by the persuasion of evil Counsellors, withdrawn your self from the Parliament, raised an Army against it, and by force thereof protected Delinquents from the Justice of it, constraining us to take Arms for the defence of our Religion, Laws, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety, which fears and dangers are continued, and increased by the raising, drawing together, and arming of great numbers of Papists, under the command of the Earle of *Newcastle*, likewise by making the Lord *Herbert* of *Ragland*, and other known Papists, Commanders of great forces, whereby many grievous Oppressions, Rapines, and Cruelties have been, and are daily exercised upon the persons and estates of your people, much innocent bloud hath been spilt, and the Papists have attained means of attempting, and hopes of effecting their mischievous designe of roooting out the Reformed Religion, and destroying the professors thereof. In the tender sence and compassion of these evils, under which your people and

Kingdom lie (according to the duty which we owe to God, your Majesty, and the Kingdom, for which we are intrusted) do most earnestly desire, that an end may be put to these great distempers and distractions, for the preventing of that desolation, (which doth threaten all your Majesties Dominions. And as we have rendred, and still are ready to render to your Majesty that subjection, obedience, and service which we owe unto you, so we most humbly beseech your Majesty, to remove the Cause of this war, and to vouchsafe us that peace and protection which we and our Ancestors have formerly enjoyed under your Majesty, and your Royall Predecessors, and graciously to accept and grant these most humble desires and Propositions.

1.

THat your Majesty will be pleased to disband your Armies, as wee likewise shall be ready to disband all those Forces which wee have raised; And that you will be pleased to return to your Parliament.

2.

That you will leave Delinquents to a Legall Triall, and judgement of Parliament.

3.

That the Papists may not onely be disbanded, but disarmed according to Law.

4.

That your Majesty will be pleased to give your Royall assent unto the Bill for taking away Superstitious Innovations: To the Bill for the utter abolishing, and taking away of all Archbishops, Bishops, their Chancellors, and Commissaries, Deans, Subdeans, Deans & Chapters, Archdeacons, Canons, and Prebendaries, and all Chanters, Chancellors, Treasurers, Subtreasurers, Succentors, and Sacrists, and all Vicars Chorall, and Choristers, old Vicars, and new Vicars of any Cathedrall, or Collegiate Church, and all other their under-officers out of the Church of *England*: To the Bill against scandalous Ministers: To the Bill against Pluralities: And to the Bill for consultation to be had with godly, religious, and learned Divines. That your Majesty will be pleased to promise to passe such other good Bils for setling of Church-government, as upon consultation with the Assembly of the said Divines shall be resolved on by both houses of Parliament, and by them be presented to your Majestie.

That

5.

That your Majesty having expreſt in Your Anſwer to the Nineteene Propoſitions of both houſes of Parliament, a hearty affection, and Intentions for the rooting out of Poperie out of this Kingdome; and that if both the houſes of Parliament can yet finde a more effectuall Courſe to diſable Jeſuites, Prieſts, and popiſh Recuſants from diſturbing the State, or deluding the Lawes, that you would willingly give your conſent unto it; That You would be graciouſly pleaſed for the better diſcovery and ſpeedier conviction of Recuſants. That an Oath may be eſtabliſhed by Act of Parliament to be Adminiſtred in ſuch manner, as by both Houſes ſhall be agreed on; wherein they ſhall abjure and renounce the Popes Supremacy; The doctrine of Tranſubſtantiation, Purgatory, worſhipping of the conſecrated Hoaſt, Crucifixes, and Images, and the refuſing the ſaid Oath, being tendred in ſuch manner, as ſhall be appointed by Act of Parliament, ſhall be a ſufficient Conviction in Law of Recuſancie. And that your Majeſtie will be graciouſly pleaſed, to give Your Royall aſſent unto a Bill for the Education of the children of Papiſts, by Proteſtants in the Proteſtant Religion; That for the more effectuall execution of the Lawes againſt popiſh Recuſants, your Majeſty would be pleaſed to conſent to a Bill for the true levying of the Penalties againſt them, and that the ſame Penaltie may be levyed, and diſpoſed of in ſuch manner as both houſes of Parliament ſhall agree on; ſo as your Majeſtie be at no loſs: And likewiſe to a Bill whereby the practiſe of Papiſts againſt the State may be prevented, and the Laws againſt them duly executed.

6.

That the Earle of *Briſtoll* may be removed from your Majeſties Councells, and that both he, and the Lord *Herbert*, eldeſt ſonne to the Earle of *Worceſter*, may likewiſe be reſtrained from comming within the Verge of the Court, and that they may not beare any Office, or have any imployments concerning the State, or Common-wealth.

7.

That Your Majeſtie will be graciouſly pleaſed by Act of Parliament, to ſettle the *Militia* both by Sea and Land, and for the Forts, and Ports of the Kingdome, in ſuch a manner as ſhall be agreed on by both Houſes.

8.

That Your Majeſtie will be pleaſed by Your Letters Patents, to make Sir *Iohn Bramſton* Chiefe Juſtice of Your Court of Kings Bench; *William Lentall* Eſquire, the now Speaker of the Commons houſe, Maſter of the

Rolls; and to continue the Lord chiefe Justice *Bankes*, chiefe Justice of the Court of Common Pleas; and likewise to make Master Serjeant *Wilde* Chiefe Baron of Your Court of Exchequer. And that Master Justice *Bucon* may be continued; And Master Serjeant *Rolls*, and Master Serjeant *Atkins*, made Justices of the Kings Bench. That Master Justice *Reeves*, and Master Justice *Foster*, may be continued; and Master Serjeant Phesant made one of Your Justices of Your Court of Common Pleas; That Master Serjeant *Creswell*, M. *Samuel Browne*, and Master *Iohn Pulleston*, may be Barons of the Exchequer; And that all these, and all the Judges of the same Courts, for the time to come, may hold their places by Letters Patents under the great Seale, *Quam diu se bene Gesserint*, and that the severall persons not before named, that doe hold any of these places before mentioned, may be removed.

9.

That all such persons as have been put out of the Commissions of Peace, or Oyer and Terminer, or from being *Custodes Rotulorum*, since the first day of *April* 1642. (other then such as were put out by desire of both, or either of the houses of Parliament) may againe be put into those Commission and Offices; And that such persons may be put out of those Commissions and Offices, as shall be excepted against by both houses of Parliament.

10.

That Your Majestie will be pleased to passe the Bill now presented to your Majestie to vindicate and secure the Priviledges of Parliament, from the ill consequence of the late President in the Charge, and proceeding against the Lord *Kimbolton*, now Earle of *Manchester*, and the five Members of the house of Commons.

11.

That Your Majesties Royall Assent may bee given unto such Acts as shall be advised by both houses of Parliament, for the satisfying, and paying the debts, and damages wherein the two houses of Parliament, have engaged the publicke Faith of the Kingdome.

12.

That Your Majestie will be pleased, according to a gracious Answer heretofore received from You, to enter into a more strict Alliance with the States of the United Provinces, and other Neighbour Princes, and States of the Protestant Religion, for the defence and maintenance thereof against all designes, and attempts of the Popish and Jesuiticall Faction, to subvert, and

suppresse

ſuppreſſe it, whereby Your Subjects may hope to bee free from the miſchiefes which this Kingdome hath endured, through the power which ſome of that Partie have had in Your Counſells, and will be much encouraged in a Parliamentary way for Your Ayde, and Aſſiſtance in reſtoring your Royall Siſter, and the Prince Elector to thoſe Dignities, and Dominions which belong unto them, and releeving the other diſtreſſed Proteſtant Princes who have ſuffered in the ſame Cauſe.

13.

That in the Generall Pardon, which your Majeſtie hath bin pleaſed to offer to your Subjects, all offences and miſdemeanours committed before the tenth of *Ianuary*, 1641. which have been, or ſhall be queſtioned, or proceeded againſt in Parliament, upon complaint in the Houſe of Commons before the tenth of January 1643. ſhall be excepted; which offences, and miſdemeanours ſhall nevertheleſſe be taken, and adjudged to be fully diſcharged againſt all other inferiour Courts. That likewiſe there ſhall be an exception of all offences committed by any perſon, or perſons, which hath, or have had any hand, or practiſe in the Rebellion of *Ireland*, which hath, or have given any counſell, aſſiſtance, or encouragement to the Rebells there for the maintenance of that Rebellion. As likewiſe an exception of *William* Earle of *Newcaſtle*, and *George* Lord *Digby*.

14.

That Your Majeſtie will be pleaſed to reſtore ſuch Members of either houſe of Parliament to their ſeverall places of Services, and Imployment out of which they have been put ſince the beginning of this Parliament. That they may receive ſatisfaction, and reparation for thoſe places, and for the profits, which they have loſt by ſuch removalls upon the Petition of both houſes of Parliament: And that all others may be reſtored to their Offices and Imployments, who have been put out of the ſame upon any diſpleaſure conceived againſt them for any Aſſiſtance given to both houſes of Parliament, or obeying their Commands; or forbearing to leave their Attendance upon the Parliament without licence, or for any other occaſion ariſing from theſe unhappy differences betwixt your Majeſtie, and both houſes of Parliament upon the like Petition of both houſes.

Theſe things being granted and performed, as it hath alwayes beene our hearty prayer, ſo ſhall we be enabled to make it our hopefull endeavour; That your Majeſtie and your people may enjoy the bleſſings of Peace, Truth and Iuſtice; The Royaltie and greatneſſe of Your Throne may bee ſupported by the Loyall and bountifull affections of Your people; Their

Liberties

Liberties and Priviledges maintained by your Majesties Protection and Iustice; And this publicke honour, and happinesse of your Majesty, and all Your Dominions Communicated to other Churches, and States of Your Alliance, and derived to your Royall Posterity, and the future Generations in this Kingdome for ever.

H. Elsynge Cler. Parl. D. Com.

His Majesties Answer to the Desires and Propositions of both Houses, *Febraary* the third, 1642.

Received at a Conference with the Lords, February *the sixt*, 1642.

IF his Majesty had not given up all the faculties of his soul to an earnest endeavour of a Peace, and reconciliation with his People, or if he would suffer himselfe by any Provocation to be drawn to a sharpnes of Language at a time, when there seems somewhat like an Overture of Accommodation, hee could not but resent the heavy charges upon him in the Preamble of these Propositions, and would not suffer himself to be reproached with protecting of Delinquents by force from Justice, (his Majesties desire having always bin, that all men should be Tryed by the knowne Law, and having been refused it) with raising an Army against his Parliament, and to be told that Armes have been taken up against him for the defence of Religion, Laws, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety, with many other particulars in that Preamble, so often and so fully answered by his Majesty, without remembring the World of the time, and circumstances of raising those Arms against him: when his Majesty was so far from being in a condition to invade other mens Rights, that he was not able to maintain and defend his owne from violence; And without telling his good Subjects, that their Religion (the true Protestant Religion, in which his Majesty was born, hath faithfully lived, and to which he will die a willing Sacrifice) their Laws, Liberties, Priviledges, and safety of Parliament were

so

ſo amply ſetled, and eſtabliſhed; or offered to be ſo by his Majeſty before any Army was raiſed againſt him, and long before any raiſed by him for his defence, that if nothing had bin deſired, but that Peace and Protection which his Subjects, and their Anceſtors had in the beſt times enjoyed under his Majeſty or his Royall Predeceſſors; this miſunderſtanding and diſtance between his Majeſty and his people, and this generall miſery, and diſtraction upon the face of the whole Kingdom, had not bin now the diſcourſe of Chriſtendom: But his Majeſty will forbeare any Expreſſions of Bitterneſſe, or of a ſence of his own ſufferings, that if it be poſſible the memory thereof may be loſt to the World. And therefore though many of the Propoſitions, preſented to his Majeſty by both Houſes appeare to him very derogatory from, and deſtructive to his juſt power and Prerogative, and no way beneficiall to his Subjects, few of them being already due to them by the Laws eſtabliſhed, (And how unparliamentary it is by Arms to require new Laws all the World may judge) yet (becauſe theſe may be waved, or mollified, and many things that are now darke, or doubtfull in them, cleered and explained upon debate) his Majeſty is pleaſed (ſuch is his ſence of the miſeries, this Kingdom ſuffers by this unnaturall war, and his earneſt deſire to remove them by a happy peace) that a ſpeedy time and place may be agreed upon for the meeting of ſuch perſons as his Majeſty & both Houſes ſhall appoint to diſcuſs theſe Propoſitions, and ſuch others here following, as his Majeſty doth propoſe to them.

1 THat his Majeſties own Revenue, Magazins, Towns, Forts, and Ships which have bin taken, or kept from him by force, be forthwith reſtored unto him.

2 That whatſoever hath bin done or publiſhed, contrary to the known Laws of the Land, or derogatory to His Majeſties Legall & known power, and rights, be renounced and recalled, that no ſeed may remain for the like to ſpring out of for the future.

3 That whatſoever illegall power hath bin claimed & exerciſed by, or over his Subjects, as impriſoning their perſons without Law, ſtopping their *Habeas Corpuſſes*, and impoſing upon their Eſtates without Act of Parliament, &c. either by both, or either Houſe, or any Committee of both, or either by any perſons appointed by any of them, be diſclaimed, and all ſuch perſons ſo committed, forth-with diſcharged.

4 That as His Majeſty will readily conſent (having done ſo heretofore) to the execution of all Laws already made, and to any good Acts to be made for the ſuppreſſing of Popery, and for the firme ſetling of the Prote-

ſtant Religion now eſtabliſhed by Law: So he deſires that a good Bill may be framed for the better preſerving of the Book of Common Prayer, from the ſcorn and violence of Browniſts, Anabaptiſts and other Sectaries with ſuch clauſes, for the eaſe of tender conſciences, as his Majeſty hath formerly, offered.

5 That all ſuch perſons as upon the Treaty ſhall be excepted out of the Generall Pardon, ſhall be tried *per Pares*, according to the uſuall courſe, and known Law of the Land, and that it be left to that, either to acquit, or condemn them.

6 And to the intent this Treaty may not ſuffer interruption by any intervening Accidents, that a Ceſſation of Arms, and free Trade for all his Majeſties Subjects may be firſt agreed upon.

This offer and deſire of His Majeſty he hopes will be ſo cheerfully entertained, that a ſpeedy and bleſſed Peace may be accompliſhed. If it ſhall be rejected, or by inſiſting the unreaſonable Circumſtances, be made impoſſible (which he hopes God in his mercy to this Nation will not ſuffer) the guilt of the Bloud which will be ſhed, and the deſolation which muſt follow, will lye upon the heads of the Refuſer. However His Majeſty is reſolved, through what accidents ſoever he ſhall be compelled to recover His Rights, and with what proſperous ſucceſſes ſoever, it ſhall pleaſe God to bleſſe him, that by his earneſt, conſtant endeavours to propagate and promote the true Proteſtant Religion, and by his Governing according to the known Laws of the Land, and upholding the juſt Priviledges of Parliament according to his frequent Proteſtations made before Almighty God, which he will always inviolably obſerve, The world ſhall ſee that he hath undergone all theſe difficulties, and hazards for the defence and maintenance of thoſe, the zealous Preſervation of which his Majeſty well knows, is the only foundation, and means for the true happineſſe of him, and His People.

Hen. Elſing, Cler. Parliament. D.C.

The Articles of Ceſſation ſent to His Majeſty,
Februar. *ultimo.*

WHereas the Lords and Commons in Parlia. out of a tender ſence of the preſent miſeries and diſtractions of the Kingdom, and for the obtaining and ſetling of a happy Peace betweene his Majeſty and his People

People, have humbly preſented his Majeſty, divers Propoſitions, to which he hath bin pleaſed to make this return; That his deſire was, that a ſpeedy time and place might be appointed for the diſcuſſing of thoſe Propoſitions, and likewiſe ſome others propoſed by His Majeſty. It is thereupon agreed in both Houſes, that a Committee of both Houſes ſhall be appointed to attend His Majeſty, on or before the fourth of *March* if his Majeſty ſhall ſo pleaſe to endeavour to give him all humble and fit ſatisfaction concerning the ſaid Propoſitions, both His Majeſties and their own. And whereas for the more ſpeedy removall of the bloudy and miſerable effects of war, his Majeſty hath likewiſe bin graciouſly pleaſed by a late Meſſage, to ſignifie His deſire, That for avoiding all intervening Accidents of war, which might interrupt this Treaty, there might be a Ceſſation of Arms under ſuch particular conditions & limitations as ſhould be agreed on; Their humble deſires therein concurring with His Ma. It is by them aſſented and agreed, That a Ceſſation of Arms in Order to ſuch a Treaty as is reſolved upon by both Houſes of Parliament, may be enjoyned to all the Armies and Forces now on foot in the Kingdom of *England* and Dominion of *Wales*, on either ſide, under the reſtrictions and limitations hereafter following, And that neither ſide ſhall be bound and limited by this Ceſſation, in any otherwiſe or to any other purpoſe then is hereafter expreſſed.

1. THat all manner of Armes, Ammunition, Victuals, Money, Bullion, and all other Commodities paſſing without ſuch a ſafe conduct, as may warrant their paſſage may be ſtaid and ſeized on, as if no ſuch Ceſsation were agreed on at all.

2 That all manner of Perſons paſſing without ſuch a ſafe conduct as is mentioned in the Article next going before ſhall be apprehended and detained, as if no ſuch Ceſſation were agreed on at all.

3 That his Majeſties Forces in *Oxfordſhire*, ſhall advance no neerer to *Windſor* then *Wheatly*, and in *Buckinghamſhire*, no neerer to *Aylesbury*, then *Brill*, and that in *Berks* the Forces reſpectively ſhall not advance neerer the one to the other then now they are; And that the Parliament Forces in *Oxfordſhire* ſhall advance no neerer to *Oxford*, then *Henley*, and thoſe in *Buckingham*, no neerer to *Oxford*, then *Aylesbury*; And that his Majeſties Forces ſhall take no new Quarters above twelve miles from *Oxford*, any way, And that the Parliament Forces ſhall take no new Quarters above twelve miles from *Windſor* any way.

4 That no ſiege ſhall be begun or continued againſt *Glocester*, And that his Majeſties Forces now employed in the Siege ſhall return to *Cirencester*,

and *Malmsbury*, or to *Oxford*; as ſhall be moſt for their conveniency, And the Parliament Forces which are in *Gloceſterſhire*, ſhall remain in the Cities of *Gloceſter*, *Briſtoll*, and the Caſtle and Town of *Berkley*, or retire neerer to *Windſor*, as they ſhall ſee cauſe, And that thoſe of *Wales* which are drawn to *Gloceſter*, ſhall return into their Quarters, where they were before they drew down to *Gloceſterſhire*.

5 That in caſe it be pretended on either ſide, that the Ceſſation is violated, no Act of Hoſtility is immediatly to follow, but firſt the party complaining, is to acquaint the Lord Generall on the other ſide, & to allow 3 days, after notice given for ſatisfaction. And in caſe ſatisfaction be not given or accepted, then five days notice to be given before hoſtility begin. And the like to be obſerved in the Remoter Armies by the Commanders in Chief.

6 Laſtly, that all other Forces in the Kingdom of *England*, and Dominion of *Wales*, & not before-mentioned, ſhall remain in the ſame Quarters & Places, as they are at the time of the publiſhing of this Ceſſation, & under the ſame conditions as are mentioned in the Articles before, and that this Ceſſation ſhall not extend to reſtrain the ſetting forth, or employing of any Ships for the defence of his Majeſties Dominions.

All which they humbly deſire his Majeſty will be pleaſed to ratifie and confirm, And that this Ceſſation may begin upon the fourth of *March* next, or ſooner if it may be, and continue untill the five and twentieth of the ſame moneth, and in the mean time to be publiſhed to the Commanders, Officers, and Souldiers, And all other his Majeſties loving Subjects on either ſide, and that the Treaty intended, may commence upon the fourth of *March* next, or ſooner if it may be, and the continuance there of not to exceed 20 days.

Hen. Elſinge Cler. Parl. D. Com.

His Majeſties Meſſage to both his Houſes of Parliament in anſwer to the Articles of Ceſſation, received at a Conference,
Martii 6. 1642.

HIs Majeſty hoped the Treaty would have bin begun, and the Ceſſation agreed on long ſince, and that much might in this time have bin concluded in Order to the peace and happineſs of the Kingdom, but ſince in almoſt a moneth (for his Majeſties Propoſitions were maide

on

on the third of *February*, and he heard not since from both Houses till the first of *March*) no consent hath beene yeelded to it; Hee conceives the Cessation cannot begin so soone as the fourth of this Moneth, by which time (though his Majestie uses no delay in making his Answer) the same can hardly be returned to them; And many of the Articles now presented to him from both Houses concerning the Cessation, are so strict, that such of his good Subjects, who are not of his Army (and for whom generally hee shall alwayes have a principall, just and compassionate regard) receive not any benefit, or are restored to any liberty thereby, which his Majestie shall ever insist upon (when in matters meerely concerning himselfe, hee may descend to easier Conditions) and which he hath returned with such Alterations, as he doubts not both Houses will consent to, and doe sufficiently manifest how sollicitous his Majestie is for the good of his people, and how desirous he is, that in this unnaturall Contention no more blood of his Subjects may be spilt (upon which he lookes with much griefe, compassion and tenderneſse of heart) even of those who have lifted up their hands against him; and his Majestie therefore desires (against which he can imagine no objection can be made) that the Cessation may begin upon the Twelfth of this moneth, or sooner, if the Conditions of the Cessation shall be sooner agreed on, and is willing the same shall continue for twenty dayes, in which time he hopes by the Treaty, and a cleere understanding of each other, a full peace and happineſse may be established throughout the Kingdome. And during that time his Majestie is willing that neither side shall be bound or limited by this Cessation in any otherwise, or to any other purpose then is hereafter expressed.

1 That all manner of Armes, Ammunition, Money, Bullion, and victuals passing for the use of either Army without a Passe or safe conduct from the Generalls of each Army may be stayed and seized on, as if no Cessation were agreed on at all.

2 That all Officers and Souldiers of either Army passing without such licence or safe conduct as aforesaid may be apprehended, and detained, as if no such Cessation were agreed on at all; And that all manner of persons his Majesties Subjects, of what quality or condition soever (except Officers and Souldiers of either Army) shall passe to and from the Cities of *Oxford* and *London*, and backe againe at their pleasures during this Cessation, as likewise to and from any other parts of his Majesties Dominions, without any search, stay, or imprisonment of their persons, or seisure, and detention of their goods or estates; And that all manner of Trade, Traffique and

Commerce, be free and open between all his Majesties subjects excepting as aforesaid, betweene the officers and souldiers of either Armie, or for Armes, Ammunition, Money, Bullion, or victualls, for the use of either Army without a passe or safe Conduct as aforesaid, which may be a good beginning to renew the trade and correspondence of the Kingdome, and whereby his good Subjects may be restored to that libe ty and freedome they were born to, and have so happily enjoyed, till these miserable distractions, and which even during this warre, his Majestie hath to his utmost laboured to preserve, opening the way by most strict Proclamations to the passage of all commodities, even to the City of *London* it selfe.

3 That his Majesties forces in *Oxfordshire* shall advance no neerer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no neerer to *Aylesbury* then *Brill*, & that in *Berk shire* the forces respectively shall not adva ice neerer, the one to the othe then they shall be at the day to be agreed upon for the Cessation to begin; And that the forces of the other Army in *Oxfordshire*, shall advance no neerer to *Oxford* then *Henly*, and those in *Buckinghamshire* no neerer to *Oxford* then *Aylesburie*; And that the forces of neither army shall advance their quarters neerer to each other, then they shall be upon the day agreed on for the Cessation to begin, otherwise then in Passage and communication betweene their severall Quarters respectively, without any acts of Hostility each to other, but may inlarge themselves within their owne Quarters respectively, as they shall find convenient.

4 That the forces of either army in *Glocestershire*, *Wiltshire*, and *wales*, as likewise in the Cities of *Glocester*, *Bristoll*, and the Castle and Towne of *Berkley*, shall be guided by the Rule expreſt in the later part of the precedent Article.

5 That in case it be pretended on either side, that the Cessation is violated, no act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord Generall on the other side, and to allow three dayes after notice given for satisfaction, and in case satisfaction be not given or accepted, then five dayes notice to be given before hostility begin; And the like to be observed in the remoter armies by the Commanders in chiefe.

6 That all other forces in the Kingdome of *England*, and Dominion of *Wales* not before mentioned, shall remaine in the same Quarters and places as they are at the time of publishing this Cessation otherwise then in passage and communication betweene their severall Quarters, as is mentioned in the later part of the third Article; And that this Cessation shall not extend to restraine the setting forth, or imploying any Ships for the defence

fence of his Majesties Dominions, Provided that his Majesty bee first acquainted with the particulars, and that such Ships as shall be set forth bee commanded by such persons as his Majestie shall approve of.

7 Lastly, that during the Cessation none of his Majesties subjects bee imprisoned, otherwise then according to the knowne Lawes of the Land; And that there shall be no plundring or violence offered to any of his Subjects. And his Majesty is very willing if there be any scruples made concerning these Propositions and circumstances of the Cessation; That the Committee for the Treaty nevertheless may immediately come hither, and so all matters concerning the Cessation may be here settled by him.

H. Elsynge Cler. Parl. D. Com.

His Majesties Answer to the Articles of Cessation sent to His Majestie.

HIS Majestie hath sent a safe Conduct for the Earle of *Northumberland*, Mr. *Pierpoint*, Sir *William Ermyn*, Sir *John Holland*, and Mr. *Whitlacke*, but hath not admitted the Lord *Say* to attend him, as being excepted against by name in his Proclamation at *Oxford* of the third of *November*, and by Writ to the Sheriffe proclaimed then in that County, in which his Majesties Intention is declared to proceed against him as a person guilty of high Treason, and so falling to be within the case of Sir *John Evelin*, who upon the same Exception was not admitted to attend his Majestie, with the rest of the Committee at *Colebrooke* in *November* last; But his Majestie doth signifie that in case the House shall thinke fit to send any other person in the place of the Lord *Say*, that is not included in the like Exception, his Majesty hath commanded all his Officers, Souldiers, and other subjects to suffer him as freely to passe and repasse, as if his name had been particularly comprised in this safe Conduct.

His Majesty is content that his Proposition concerning the Magazines, Forts, Ships and Revenue, and the proposition of both Houses for the disbanding of the Armies, shall be first Treated of, and agreed of before the proceeding to treat upon any of the other Propositions; And that after, the second of His Majesties, and the second of theirs be treated on, and agreed of, and so on in the same order; And that from the beginning of the Treaty, the time may not exceed Twenty dayes: in which he hopes a full Peace and right understanding may be established throughout the Kingdome.

H. Elsynge Cler. Parl. D. Com.

The last Articles of Cessation now sent to His Majesty.

THe Lords and Commons in Parliament being still carried on with a vehement desire of Peace, that so the Kingdome may speedily be freed from the desolation and destruction, wherewith it is like to be overwhelmed if the warre should continue; Have with as much expedition as they could, considered of the Articles of Cessation, with those alterations and additions offered by his Majestie, unto which they are ready to agree in such manner as is exprest in these ensuing Articles (*viz.*)

1. That all manner of Armes, Ammunition, Victuall, Money, Bullion, and all other Commodities, passing without a safe Conduct from the Generalls of both Armies, as well of his Majesties, as of the Armies raysed by the Parliament may be stayed and seized on, as if no such Cessation were agreed on at all.

2 That all manner of persons passing without such a safe Conduct as is mentioned in the Articles next going before, shall be apprehended and detained as if no such Cessation were agreed on at all.

3 That his Majesties Forces in *Oxfordshire* shall advance no neerer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no neerer to *Alesburie* then *Brill*, and that in *Barkeshire* the Forces respectively, shall not advance neerer the one to the other, then they shall be at the day to be agreed on for the Cessation to begin; And that the Forces of the other Army raysed by the Parliament shall advance no neerer to *Oxford* then *Henley*, and those in *Buckinghamshire* no neerer to *Oxon* then *Alisbury*, and that the Forces of neither army shall advance their Quarters neerer to each other then they shall be upon the day agreed on for the Cessation to begin.

4 That the Forces of either army in *Gloceſterſhire*, *Wilts*, and *Wales*, as likewise in the Cities of *Gloceſter* and *Briſtoll*, and the Castle and Towne of *Berkly* shall be guided by the rule exprest in the latter part of the precedent Article.

5 That in case it be pretended on either side, that the Cessation is violated no act of Hostilitie, is immediately to follow, but first the party complaning is first to acquaint the Lord Generall on the other side, and to allow three dayes after notice given for satisfaction, and in case satisfaction be not given or accepted, then five dayes notice to be given before Hostilitie begin, and the like to be observed in the remoter armies by the Commanders in Chiefe.

6 That

6 That all other forces in the Kingdome of *England*, and Dominion of *Wales*, not before-mentioned, ſhall remayn in the ſame Quarters and places, as they are at the time of the publiſhing of this Ceſſation, and under the ſame Conditions as are mentioned in the Articles before, And that this Ceſsation ſhall not extend to reſtrain the ſetting forth or employing of any Ships for the defence of his Majeſties Dominions.

7 That as ſoon as his Majeſty ſhal be pleaſed to disband the Armies which both Houſes earneſtly deſire may be ſpeedily effected, and to diſarme the Papiſts according to Law, the Subjects may then enjoy the benefit of peace in the liberty of their perſons, goods, and Freedom of Trade; in the mean time, the Generals and Commanders of the Armies of both ſides ſhall be enjoyned to keep the Souldiers from plundering, which the two Houſes of Parliament, have ever diſliked and forbidden.

And for the ſpeedy ſetling of this ſo much deſired Peace, they have thought good to ſend their Committees with Inſtructions, that if his Majeſty be pleaſed to conſent to a Ceſsation ſo limited and qualified, they may forthwith proceed to treat upon the Propoſitions, and becauſe the time is ſo far elapſed in theſe preparations, they deſire the Ceſſation may begin the five and twentieth of this inſtant *March*, or ſooner if it may be, and in the mean time, notice to be given to all the Forces in the ſeverall and remote parts, and the Commanders, Officers, and Souldiers, are enjoyned to obſerve this Ceſsation accordingly, to which they hope and pray, that God wil give ſuch a bleſſing, That thereupon, Peace, Safety, and Happines may be produced and confirmed to his Majeſty and all his People.

H. Elſing Cler. Parl. Dom. Com.

Inſtructions agreed on by the Lords and Commons in Parliament, for Algernoon, *Earle of* Northumberland, William, *Lord Viſcount* Say *and* Seale, William Pierpoint, *Eſquire*, *Sir* William Armyn *Baronet*, *Sir* Iohn Holland, *Baronet*, *and* Bulſtrode Whitlock, *Eſquire*:

Committees appointed to attend his Majeſtie upon the Propoſitions made by his Majeſtie to the Parliament, and likewiſe upon the other Propoſitions, humbly preſented from them to his Majeſtie.

1

YOu ſhall preſent to his Majeſty, the Articles agreed on for the Ceſſation of Armes, Humbly deſiring his Majeſty to ratifie and confirme the ſame under the Great Seale, which being obtained, you are to ſend it up to the Parliament with all poſſible ſpeed, and ſhal likewiſe beſeech the King to diſpatch away Meſſengers to the Generals Commanders and Souldiers of all his Armies and Forces, with a ſtrict Command and Injunction, that they obſerve thoſe Articles of Ceſſation, according as they are agreed upon as the two Houſes likewiſe intend to give the like direction the Lord Generall of the Armies raiſedfor their defence.

2.

After his Majeſty hath declared, and ratified the Ceſsation, you ſhall then proceed to the Treaty, beginning with the firſt Propoſition on his Majeſties behalf, concerning his Majeſties owne Revenue, his Magazines, Towns, Forts, and Ships, and thereunto make this Anſwer.

You

You ſhall declare, That the two Houſes of Parliament have not made uſe of his Majeſties own Revenue, but in a very ſmall proportion, which for a good part hath bin imployed in the maintenance of his Majeſties Children, according to the allowance eſtabliſhed by himſelf, And they will ſatisfie what ſhall remain due to his Majeſty of thoſe ſums received, out of his Majeſties own Revenues, and ſhall leave the ſame to his Majeſty for the time to come, And you likewiſe ſhall propound to his Majeſty, that he will reſtore what hath bin taken for his uſe, upon any of the Bils aſſigned to other purpoſes by ſeverall Acts of Parliament, or out of the proviſion made for the war of *Ireland*.

That they will remove the Garriſons out of all Towns and Forts in their Hands, wherein there were no Garriſons before theſe Troubles, and ſleight all Fortifications made ſince that time, which Townes and Forts it is to be agreed on both parts, ſhall continue in the ſame condition they were in before; And that thoſe Garriſons ſhall not be renewed nor the Fortifications repaired without conſent of his Majeſty, and both Houſes of Parliament.

That for thoſe Townes and Forts which are within the Juriſdiction of the Cinque Ports, they ſhall be delivered up into the hands of ſuch a Noble perſon as his Majeſty ſhall appoint to be Warden of the Cinque Ports, being ſuch a one as they ſhall confide in.

That the Town of *Portſmouth* ſhall be reduced to the number of the Garriſon, as was at the time when the Lords and Commons undertook the cuſtody thereof. And ſuch other Forts, Caſtles, and Towns, as were formerly kept by Garriſons, as have bin taken by them into their care and cuſtody ſince the beginning of theſe Troubles ſhal be reduced to ſuch proportion of Garriſon, as they had in the yeer 1636, and ſhal be ſo continued, And that all the ſaid Towns, Forts, and Caſtles ſhal be delivered up into the hands of ſuch perſons of Quality and Truſt, to be likewiſe nominated by his Majeſty, as the two Houſes ſhal confide in.

That the Warden of the Cinque Ports, and all Governours and Commanders of Townes, Caſtles, and Forts ſhall keepe the ſame Townes, Caſtles and Forts reſpectively for the Service of his Majeſty, and the ſafety of the Kingdome, And that they ſhall not admit into any of them any Forreigne Forces raiſed without his Majeſties authority and conſent of the two Houſes of Parliament, And they ſhall uſe their uttermoſt endevours to ſuppreſſe all Forces whatſoever raiſed without ſuch authority and conſent; And they ſhall ſeiſe all Arms and Ammunition provided for any ſuch Forces.

That the Ships ſhal be delivered into the Charge of ſuch a Noble perſon,

as his Majeſty ſhal nominate to be Lord High Admiral of *England*, and the two Houſes of Parliament confide in, who ſhall receive the ſame Office by Letters Patent *quam diu bene ſe geſſerit*, & ſhal have power to nominate and appoint all ſubordinate Commanders and Officers, & have all other powers appertaining to the Office of High Admirall, which Ships hee ſhall employ for the defence of the Kingdom againſt all Forreign Forces whatſoever and for the ſafeguard of Merchants, ſecuring of Trade, and the guarding of *Ireland*, and the intercepting of all Supplyes to be cried to the Rebels; And ſhall uſe his uttermoſt endevour to ſuppreſſe all Forces which ſhall be raiſed by any perſon without his Majeſties authority and conſent of the Lords and Commons in Parliament: And ſhall ſeiſe all Arms and Ammunition provided for ſupply of any ſuch Forces.

That all the Arms and Ammunition, taken out of his Majeſties Magazins, which ſhall remain in their hands, ſhall be delivered into his ſtores, and whatſoever ſhall be wanting, they will in convenient time ſupply in kind, according to the proportions which they have received; And that the Perſons to whoſe charge thoſe publike Magazins ſhall be committed, being nominated by his Majeſty ſhall be ſuch as the Lords and Commons ſhall confide in; And you ſhall propound to his Majeſty, that he will reſtore all ſuch Arms and Ammunition as have bin taken for his uſe from the ſeverall Counties, Cities, and Towns.

To the Propoſition made by the two Houſes concerning the disbanding of the Armies you ſhal humbly deſire his Majeſties ſpeedy and poſitive Anſwer, unto which if he ſhall be pleaſed to give his Aſſent, you ſhall then beſeech his Majeſty in the name of both Houſes that a neer day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkeſhire*, and the other Northern Counties, as alſo in *Lancaſhire*, *Cheſhire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devon*; And they being fully disbanded another day may be agreed on for the disbanding of all Forces in *Lincolnſhire*, *Nottinghamſhire*, *Leceſterſhire*, and all other Places except at *Oxford*, and the Quarters thereunto belonging, and *Windſor*, and the Quaretrs thereunto belonging; And that laſt of all a ſpeedy day be appointed for the disbanding thoſe two Armies at *Oxford* and *Windſor*, and all the Forces Members of either of them.

That ſome Officers of both Armies may ſpeedily meet to agree of the manner of the disbanding, and that fit Perſons may be appointed by his Majeſty and the Parliament, who may repaire to the ſeverall Armies, and ſee the disbanding put in ſpeedy execution accordingly.

That his Majeſty doe likewiſe remove the Garriſons out of *Newcaſtle*, and

and all other Townes, Caſtles and Forts, where any Garriſons have bin placed by him ſince theſe Troubles; And that the Fortifications bee likewiſe ſleighted, and the Townes and Forts left in ſuch ſtate and condition as they were in the yeare 1636.

That all other Townes, Forts, and Caſtles, where there have beene formerly Garriſons before theſe Troubles, be committed to the charge of ſuch Perſons to be nominated by his Majeſty, as the Parliament ſhall confide in, and under ſuch Inſtructions as are formerly mentioned.

That if his Majeſtie ſhall be p'eaſed to aſſent to theſe Propoſitions concerning the Townes, Forts, Caſtles, Magazines and Ships, that then his Majeſtie be humbly intreated to name Perſons of Qualitie to receive the charge of the ſeverall Offices and Forts, Caſtles and Townes, to be forthwith certified to the two Houſes of Parliament, that thereupon they may expreſſe their confidence in thoſe perſons, or humbly beſeech his Majeſty to name others; None of which Perſons ſhall bee removed during three yeares next enſuing without juſt cauſe to be approved by Parliament, and if any be ſo removed, or ſhall dye within the ſaid ſpace, the Perſon to be put into the ſame Office, ſhall be ſuch as both Houſes ſhall confide in.

That all Generalls and Commanders in any of the Armies on either ſide, as likewiſe the Lord Admirall of *England*; the Lord Warden of the Cinque-ports; All Commanders of any Ships, and Commanders of any Towne, Caſtle or Fort, ſhall take an Oath to obſerve theſe Articles aforementioned; And to uſe their uttermoſt power to preſerve the true reformed Proteſtant Religion, and the Peace of the Kingdome againſt all Forraigne Force, and all other Forces raiſed without his Majeſties authoritie and conſent of the two Houſes of Parliament.

You ſhall move his Majeſty, that for the better diſpatch of the Treaty, and the free intercourſe of Inſtructions and advertiſements betwixt the two Houſes of Parliament and the Committee, that there may bee a free paſſe of Meſſengers to and from the Parliament, and the Committees without ſearch or interruption, and his Majeſties ſafe Conduct, to bee obtained to that effect to ſuch Perſons as are, or ſhall be appointed for that ſervice, *viz.* For

Mr. *John Ruſhworth*, Mr. *Michael Welden*, Mr. *John Corbet* of Graies Inne, and Mr. *James Standiſh*.

H. Elſynge Cler. Parl. D. Com.

23. *Mar.*

23 *Martii*, 1642.

The Kings Meſſage concerning the Ceſſation.

CHARLES R.

HIs Majeſty hath immediately upon their arrivall admitted the Committee ſent to Him from both Houſes of Parliament (as the Meſſengers of Peace) to his Royall Preſence, and received the Articles of Ceſſation brought by them, which are in effect the ſame his Majeſty formerly excepted to, though their expreſſion in the Preface to theſe Articles of their readineſſe to agree to thoſe Alterations, and Additions offered by his Majeſty in ſuch manner as is expreſſed, made Him expect to have found at leaſt ſome of the reall Alterations, and Additions made by him admitted, which He doth not diſcover.

1.

HisMajeſty deſired that Proviſion might be made,and Licence given to his good Subjects,for their freedome of Trade, Traffique and Commerce, (though in matters which concerned Himſelfe more immediately, as in Armes, Ammunition, Money, Bullion, and Victuall, for the uſe of his Army, and the Paſſage of all Officers and Souldiers of his army, Hee was contented the reſtraint ſhould be in ſuch manner as was propoſed) of which his Majeſtie is ſo tender, that as he hath provided for the ſame by His gracious Proclamations, ſo He doth daily releaſe and diſcharge ſuch Merchandize and Commodities, as are contrary to thoſe Proclamations ſtaved by any of his Majeſties Forces.

To this freedome and liberty of his good ſubjects, there is not the leaſt admiſſion given by theſe Articles, ſo that they have not any Eaſe or benefitt by this Ceſſation, which his Majeſtie deſires both Houſes to conſider to, and whether, if his Majeſtie ſhould take the ſame courſe to ſtop and interrupt the Trade of the Kingdome, as the other Army doth, a generall oſſe and Calamity would not ſeize upon his good Subjects.

2.

His Majeſty to the end that a full Ceſſation might be as well at Sea as at Land, and He might be ſecured, that the Ships propoſed to be ſet forth for the Defence of his Majeſties Dominions, ſhould be employed onely to that end and purpoſe, deſired that they might be put under the Command of Perſons to be approved of by his Majeſty, which is not conſented to by theſe Articles, but their former, to which his Majeſty excepted ſtrictly and entirely inſiſted on, by which (beſides that part of Hoſtilitie remaines)

maines) the conveying of any number of Forces from any part to any other, by that meanes, remaine free to them.

3.

For the Prevention of any Inconveniences which might arise upon reall Differences, or Mistakes upon the Latitude of expressions (as if his Majesty should now consent to these Articles proposed, in the Termes proposed, He must confesse the Army, of which he complaines, to bee raysed by the Parliament, and either himselfe to be no part of the Parliament, or Himselfe to have raised that Army) and for prevention of that delay which He foresaw could not otherwise be avoyded, if upon every Difference the Questions must be remitted to *London*, His Majesty desired that the Committee (for whom He then sent a safe Conduct) might have liberty to debate any such Differences and Expressions, and reconcile the same, that all possible Expedition might be used to the mayne Treaty.

In this point of so high Concernment, no power is given in these Articles, and the Committee confessed to his Majesty they have no power given, but are strictly and precisely bound to the very words of the Articles now sent, and that before these are consented to by us, they cannot enter into any Treaty concerning the other Propositions.

4.

His Majesty desired, that during the Cessation none of his good subjects might be imprisoned, otherwise then according to the knowne Lawes of the Land.

This is in no degree consented to, but the priviledge and liberty, (to which they were borne) reserved from them till the disbanding of both armies (though they are no part of either Army) and so have no benefit by this Cessation.

5.

His Majesty desired, that during this Cessation there should be no Plundering or violence offered to any of his Subjects.

In the Answer to which, His desire against violence, is not at all taken notice of, nor is his desire against Plundering any wayes satisfied; his Majesty, not only intending by it the robbing of the Subject by the unrulinesse of the uncommanded Souldier (which their clause of requiring the Generalls and officers to keep them from it seemes to imply; And the assertion, that the two Houses of Parliament had ever disliked, and forbidden it, declares plainly, to be their only meaning) but particularly the violence and Plundring us'd to his Subjects by forcibly taking away their goods for not submitting to Impositions and Taxes required from them by Orders or Ordinances of one or both houses of Parliament, which are contrary to the knowne Lawes of the Land.

6. Be-

9.

Besides that there is no consent given to those alterations and additions offered by his Majesty, (whatsoever is pretended) so where an absolute consent may be supposed, because the very words of his Majesties Article are wholly preserved, yet by Reason of the Relation to somewhat going before, that is varyed by them, the sence of those words is wholly varyed too, as in the fourth Article, that part of the Third article to which that did referre, being wholly left out. So that upon the matter all the Propositions made by his Majesty (which did not in Tearmes agree with those presented to him) are utterly rejected.

For these Reasons, and that this Entrance towards a blessed Peace and Accommodation (which hath already filled the hearts of the Kingdome with Joye and Hope) may be improved to the wished end, his Majesty desires, that the Committee now sent, may speedily have liberty to treate, debate, and agree upon the Articles of Cessation, in which they and all the world shall find, that his Majestie is lesse sollicitous for his owne Dignity and Greatnesse, then for his subjects Ease and Liberty. And Hee doubts not upon such a Debate all differences concerning the Cessation will be easily and speedily agreed upon, and the benefit of a Cessation bee continued and confirmed to his People by a speedy disbanding of both Armies, and a sudden and firme Peace, which his Majesty above all things desires.

If this so reasonable, equall, and just Desire of his Majesty shall not be yeelded unto, but the same Articles still insisted upon, though his Majesty next to Peace desires a Cessation, Yet that the not agreeing upon the one, may not destroy the hopes of, nor so much as delay the other; He is willing however to Treate (even without a Cessation, if that bee not granted) upon the Propositions themselves, in that order as is agreed upon (and desires the Committee here may be enabled to that effect) In which Treaty Hee shall give all his Subjects that satisfaction, That if any Security to enjoy all the Rights, Priviledges and Liberties due to them by the Law, or that happinesse in Church and State, which the best times have seene, with such farther acts of Grace as may agree with his Honour, Justice and Duty to his Crowne, and as may not render Him lesse able to protect His Subjects according to his Oath, will satisfie them; Hee is confident in the mercy of God, that no more pretious blood of this Nation will be thus miserably spent.

My Lord and Gentlemen,

WHereas by your former Instructions, you are tyed up to a circumstance of time, and are not to proceed unto the Treaty upon the Propositions, untill the cessation of Arms be first agreed upon; You are now authorized and required, as you may perceive by the Votes of both Houses, which you shall herewith receive, to Treat and debate with His Majesty upon the two first Propositions, according to those Instructions, for four dayes after the day of the receipt hereof, notwithstanding that the Cessation be not agreed upon.

Your Lordships most humble servant, *Mancheſter.*
Speaker of the House of Peers *pro tempore.*

March 24 1642. Received *March* 25.

Die Veneris, 24 Martij, 1642.

Resolved upon the Question by the Lords and Comons in Parliament;

THat the Committee at *Oxon*, shall have power to Treat and Debate with His Majesty upon the two first propositions, according to their Instructions, for four dayes after the day of the receipt of this Message; notwithstanding that the Cessation is not yet agreed upon. *Resolved, &c.*

THat the Committee formerly appointed to prepare the Articles of Cessation and Instructions for the Committee at *Oxon*, shall consider of an Answer to be made to His Majesties Message this day received; And likewise prepare Reasons to be sent to the Committee, for them to presse in the Treaty and Debate upon the former Articles of Cessation; And to shew His Majesty the grounds why the Houses cannot depart from those former Articles.

John Brown Cler. Parliamentorum.

The Votes of both Houses, and the Copy of the Answer to His Majesty. Received *Martii* 25. 1642.

May it please Your Majesty;

WEe Your Loyall Subjects the Lords and Commons in Parliament, having received a Message from Your Majesty; In which you are pleased to expresse Your Selfe not to be satisfied with the Articles of Cessation, Presented unto You by our Committee now attending You at *Oxford*, and yet a signification of Your Majesties willingnesse to Treat upon the Propositions themselves, even without a Cessation; Do with all humblenesse give our consent that our Committee shall have power to Treat and debate with

your Majesty upon the two first Propositions, according to their Instructions, for four dayes after the day of the receit of this Message notwithstanding that the cessation be not yet agreed upon; That (as much as in us lyes) there may be no delay in the proceedings, for the obtaining of a blessed peace, and the healing up the miserable breaches of this distracted Kingdom; And do purpose to represent very speedily unto your *Majesty*, those just Reasons and grounds, upon which we have found it necessary to desire of your *Majesty* a cessation, so quallified as that is, whereby we hope you will receive such satisfaction, as that you will be pleased to assent unto it, and being obtained, we assure our selves it will be most effectuall to the safety of the Kingdom; and that Peace, which with so much zeal and loyall affection to your Royall person, and in a deep sence of the bleeding condition of this poore Kingdom, we humbly beg of your Majesties justice and goodnesse. *Joh: Brown Cler: Parl.*

A Letter from the E: of Manchester, to the E: of Northumberland,
Received *March* 29.

My Lord, I am commanded by the Peers in Parliament, to send unto your Lordship, the Reasons which both Houses think fit to offer unto his Majesty, in persuit of their adhering to their former Resolutions concerning the Articles of the cessation of Arms. My Lord, you shall likewise receive additionall Instructions from both Houses, and a Vote, which I send you here inclosed.

My Lord, this is all I have in command, as

Mar. 27. *Your Lordships most humble servant, Manchester, Speaker of the House of Peers*, pro tempore.

Die Lunæ, 27. *Martii*, 1643.

Resolved upon the Question by the Lords in Parliament;

That the E: of *Northumberland* their Committee at *Oxford*, is thereby authorized to acquaint His *Majesty* with all their Instructions upon the two first Propositions. *Jo: Brown Cler: Parl.*

Additionall Instructions, *March* 29.

Additionall Instructions, agreed upon by the Lords and Commons in Parliament, for Algernon *Earle of Northumberland* William *Viscount*

count Say *and* Seale, William Pierpoint *Esq*; *Sir* William Armine *Baronet*, *Sir* John *Holland Baronet*, *and* Bulstrode Whitlock *Esq*; *Committees attending His Majesty upon the Cessation and Treaty.*

YOu shall alter the words mentioned in his *Majesties* third Article in this maner, leaving out the words (*The Army raised by the Parliament*) and putting in these words (*The Army raised by both Houses of Parliament.*)

You shall humbly present to his Majesty the Reasons herewithall sent from both *Houses*, for their not assenting to those alterations and additions to the Articles of *Cessation* offered by his Majesty.

You shall presse the force of those Reasons, or any other, as there shall be occasion, in the best maner you may, to procure his Majesties assent to those Articles of *Cessation*, which if you shall obtain within two dayes after the day of the receit hereof, you shall in the name of both *Houses* of Parliament agree and conclude upon the cessation, to continue to the end of twenty dayes, to be reckoned from the twenty fift of March, and upon a day certain assoon as may be, when the same shall first begin, and be of force; within which time notice is to be given aswell by his Majesty, as by the Lords and *Commons*, to the severall Generalls, *Commanders* and Souldiers respectively, to observe the same *Cessation*, as it is qualified & limited in those articles; And after such conclusion made you shall take care that those articles be past under the Great Seal in a fitting and effectuall maner, and speedily sent up to the Lords and *Commons* in Parliament, with four Duplicates of the same at least.

If his Majesty shall please to agree upon the two Propositions concerning his own Revenues, *Towns*, Forts, Magazines, & Ships, and the disbanding of the *Armies*, you are then authorized fully to agree and conclude upon those Propositions, according to your Instructions; and you shall desire his Majesty, that the same may be forthwith put in execution, according to the Instructions formerly given in that behalf; and the two *Houses* will be ready to put in execution what is to be performed on their part, of which you have hereby power to assure his Maiesty; and if his Maiesty shal not be pleased to agree upon those two Propositions within the time of four dayes, you shall then speedily give advertisment to the two *Houses* of Parliament, that thereupon they may give such further direction as to them shall seem fit.

Joh: Brown Cler. Parliamentorum.

Reasons for the Committee, Martii 27. 1643.

To the Kings most Excellent Majesty.

The Lords and Commons in Parliament assembled, Do with all humble thankfulnesse acknowledge your Majesties favour in the speedy admission of their Committee to your Royall presence, and the expedition of Your Exceptions to their Articles, that so they might more speedily endeavour to give your Majesty satisfaction; and although they were ready to agree to the Articles of Cessation, in such manner as they exprest in their Preface, they cannot agree to the alteration and addition offered by your Majesty, without great prejudice to the Cause, and danger to the Kingdom, whose cause it is; The reasons whereof, will plainly appear in the answer to the particulars prest by your Majesty.

1. *THey do deny that they have restrained any Trade, but to some few of those places where your Majesties forces are enquartered, and even now in the heat of War do permit the Carriers to go into all the parts of the Kingdom, with all sorts of commodities for the use of the Subjects; except Arms, Ammunition, money, and Bullion: But if they should grant such a free Trade as your Majestie desireth to* Oxford *and other places, where your Forces remain, It would be very difficult, if not impossible to keep Arms, Ammunition, money, and Bullion from passing into your Majesties army, without very strict and frequent searches, which would make it so troublesome, chargeable, and dangerous to the Subjects, That the question being but for twenty dayes for so few places, the mischiefs and inconveniences to the whole Kingdom would be far greater, than any advantage which that small number of your Subjects (whom it concerns) can have by it.*

The case then is much otherwise then is exprest by Your Majesties answer; for whereas they are charged not to give the least admission of this liberty and freedom of Trade during the cessation, The truth is, that they do grant it as fully to the benefit of the Subject, even in time of War; and that your Majestie in pressing this for the peoples good, doth therein desire that which will be very little beneficiall to the Subjects, but exceeding advantagious to your Majestie, in supplying your army with many necessaries, and making Your quarters a staple for such commodities, as may be vented in the adjacent Counties, and so draw money thither, whereby the

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Inhabitants will be better enabled by Loans and Contributions to support Your Maiesties Army; And as Your Maiesties Army may receive much advantage, and the other Army much danger, if such freedome should be granted to those places; so there is no probabilitee that the Army raised by the Lords and Commons shall have any return of commodities and other supplies from thence, which may be usefull for them: And they conceive, That in a Treaty for a Cessation, those demands cannot be thought reasonable which are not indifferent, that is equally advantagious to both parties.

As they have given no interruption to the Trade of the Kingdom, but in relation to the supply of the contrary Army, which the reason of War requires; So they beseech Your Maiesty to consider, whether Your Souldiers have not robbed the Carriers in severall parts, where there hath been no such reason; And Your ships taken many ships, to the great dammage not only of particular merchants, but of the whole Kingdom. And whether Your Maiesty have not declared Your own purpose, and endeavoured by Your ministers of State, to embarque the merchants goods in Forreign parts, which hath been in some measure executed upon the East-land merchants in Denmarke, *and is a course which will much diminish the wealth of the Kingdome, violate the law of Nations, make other Princes Arbiters of the differences betwixt Your Maiesty and Your people, breake off the intercourse between this and other States, and like to bring us into quarrells and dissentions with all the Neighbour Nations.*

2. *To demand the approving of the Commanders of the ships, is to desire the strength of one party to the other, before the difference be ended, and against all Rules of Treaty; To make a Cessation at sea, would leave the Kingdome naked to those forreign forces, which they have great cause to believe have beene sollicited against them, and the Ports open for such supplies of Armes and Ammunition as shall be brought from beyond the seas: But for conveying any number of forces by those means from one part to another, they shall observe the Articles of the Cessation by which that is Restrained.*

3. *As for the expression of the army raised by the Parliament, They are contented it should be altered thus (raised by both Houses of Parliament) as not desiring to differ upon Words, but to give any concluſive power in this case to the Committee, upon such differences as may arise, wherein the Houses have given no expresse di-*

reſtion, is neither ſafe for the Committee to undertake, nor fit for the two Houſes to grant; yet to debate and to preſſe the reaſon of their deſires, whereby an agreement from Your Maieſty may bee procured, is granted to them; and although the two Houſes did thinke it moſt proper the Ceſſation ſhould be firſt agreed on, and that it was unfit to Treat in bloud; yet to ſatisfie the World of their earneſt longing after peace, they have given power to the Committee to enter into the Treaty upon the two firſt Propoſitions, notwithſtanding the Ceſſation be not yet aſſented to; And thoſe being agreed, they hope the foundation will be layd, not only of a ſuſpention, but a totall aboliſhion of all hoſtility in the Kingdome.

4. If the nature of War be duly conſidered, it muſt needs be acknowledged, That it is incompetible with the ordinary rules of a peaceable Government: Your Maieſty would have them commit none but according to the known Laws of the Land, whereby they conceive Your Maieſty underſtands, That it muſt be by the ordinary Proceſſe of Law, which being granted, it will follow, That no man muſt be committed by them for ſupplying Your Maieſty with Arms, Powder, Ammunition: For by the Law of the Land, the Subiect may carry ſuch goods from London, or any other place to Oxford, the Souldiers muſt not be committed if they run from their Colours, and refuſe any duty in the Army, No man ſhall be committed for not ſubmitting to neceſſary ſupplies of money: ſo that if this be yeilded in Your Maieſties Senſe, they ſhall be diſabled to reſtrain ſupplies from their enemies, and to govern or maintain their own Souldiers: It cannot be thought reaſonable, that under the diſguiſe of a Ceſſation, they ſhould admit that which will neceſſarily produce the diſſolving of the Army, and deſtruction of the Cauſe.

It ſeems not probable, That Your Maieſty doth intend that if any be taken with ſupplies for this Army, or mutining in Your own, ſuch perſons ſhall not be committed, but according to the known Lawes of the Land, that is, by Proceſſe of Law: But rather that Your Maieſty will ſo interrupt this limitation of known Laws, that though it layes ſtraight bonds upon the two Houſes, yet it leaves your Generalls as much liberty as before: For it hath bin denyed by your Maieſty, That theſe known Laws give any power to the two Houſes of Parliament to raiſe Arms, and ſo conſequently their Generall cannot exerciſe any marſhall law in thoſe caſes, and it is not unlike bnt that it will be affirmed, That the Generalls conſti-

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tuted by your Maieſties commiſsion, have that power by the ſame known Laws; So that this Article under the ſpecious ſhew of liberty and Law, would altogether diſable them to defend their Liberties and Laws, and would produce to your Maieſty an abſolute victory, and ſubmiſſion under pretence of a ceſſation and Treaty.

5. *Being by neceſſity inevitable on their part enforced to a defenſive Warre in this unhappy breach between your Maieſtie and them, and that they are therein warranted both by the Laws of God and man, it muſt needs follow, that by the ſame Law they are enabled to raiſe means to ſupport that Warre; and therefore till it ſhall pleaſe God to incline your Maieſtie to afford them ſuch a Peace as may ſecure them, they cannot relinquiſh the power of laying Taxes upon thoſe who ought to ioyn with them in that defence, and the neceſſary wayes of leavying thoſe Taxes upon them, in caſe of refuſall, for otherwiſe their army muſt needs be diſſolued. But if your Maieſtie ſhall conſent to disband the armies, the cauſe of the Warre being taken away, the conſequences will likewiſe be removed, and the Subiect reſtored to the benefit of thoſe Laws which the neceſſity of arms hath in ſuch caſes ſuſpended.*

6. *They deny any pretence of conſenting to thoſe alterations and additions offered by your Maieſtie, onely in the Preamble they ſay, they have conſidered of thoſe Articles, with ſuch alterations and additions, unto which Articles they profeſt they were ready to agree, not as they were accompanied with thoſe alterations and additions, but in ſuch manner as they expreſſed; As for the clauſe left out in the third Article, it implyed a freedom of paſſage and communication of Quarters, which is contrary to the nature of a ceſſation, whereby matters ſhould bee preſerved in the ſtate they are, and neither party have liberty ſo much to advantage himſelf, as it is evident your Maieſtie might do, if your Forces in the North and Weſt might ioyn with thoſe at* OXFORD, *and bring thoſe Supplies of Treaſure or Arms thither, which were brought out of* HOLLAND, *or at leaſt it ſhould be ſo indifferent, as to give a proportionable advantage to the other ſide, which this doth not; For the Forces under the power of both Houſes are ſo diſpoſed, that they have an eaſie paſſage from one to the other: But your Majeſties Forces are ſevered the one from the other by many large counties,*

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strong passes, and competent Armies, and if they had admitted this clause, they had bereaved themselves of one of the greatest advantages, and freed Your Majesties party of one of the greatest inconveniencies, which Your Majesty, or they have in this War.

For the Reasons already alleadged, They cannot agree to the alterations and enlargements of the Cessation propounded, or to transferre any such power to the Committee of Treating, debating and agreeing upon those Articles in any other manner than the Houses have directed, but that a fair and speedy passage may be opened to a secure and a happy Peace; They have enabled their Committees to treat and debate upon the two Propositions concerning His Majesties own Revenue, the delivery of his Towns, Castles, Magazines, and Ships, and the disbanding of the Armies, which being agreed upon, a present peace and security will follow, and the Treaty upon the other Propositions be facilitated without fear of interruption, by the confusion of War, or exasperation of either party, by the bloudy effects thereof.

In which Treaty, the two Houses will desire and expect nothing but what doth stand with Your Majesties Honour, and the trust reposed in You, and is necessary for Your Majesties good Subjects, that they may enioy the true Religion, and their liberties and priviledges, and that they may freely and in a Parliamentary way concur with Your Maiesty in those things which may conduce to the glory of God, the safety and happinesse of Your Maiesty, and Your Posterity and people, and preventing the like miserable effusion of English bloud for the time to come; for the effecting whereof, Their most earnest Prayers, and uttermost endeavours shall ever be faithfully and constantly employed, in hope that God will give a blessing thereunto.

Hen. Elsynge Cler. Parl. D Com.

March 29.

Additionall Inſtructions concerning the Ceſſation, March 29.

IN caſe wee ſhall obtain your Majeſties aſſent to the Articles of Ceſſation, as they were laſt preſented to your Majeſty, within two dayes after the day of the receipt of the reaſon this day preſented to your Majeſty from both Houſes, for their not aſſenting to thoſe alterations and additions to the Articles of ceſſation offered by your Majeſty.

We are authoriſed by our Inſtructions this day received, in the name of both Houſes of Parliament, to agree and conclude upon the Ceſſation, to continue to the end of twenty dayes, to be reckoned from the 25 of this inſtant Ma-ch, and upon a day certain aſſoon as may be, when the ſame ſhall firſt begin and be of force; within which time, notice is to be given, as well by His Majeſty, as by the Lords and Commons, to the ſeverall Generalls, Commanders, and Souldiers reſpectively, to obſerve the ſame Ceſſation, as it is qualified and limited in thoſe Articles laſt preſented to your Majeſty.

Northumberland.

John Holland. *Will: Pierrepoint.*
B. Whitelocke. *Will: Armyne.*

The Kings Queſtion concerning removall of quarters, March 31. 1643.

WHether by denying the Communication of quarters, you intend to reſtrain the quarters of either Army from each other; As that the Forces at *Abbington* may not remove to *Banbury*, or the Forces at *Henly* may not remove to *Alisbury*, or to any other places within the quarter of each army reſpectively. *Falkland.*

The Committees anſwer concerning removall of quarters, Mar. 31. 1643.

IN anſwer to your Majeſties queſtion upon the third Article of the Ceſſation;

We humbly conceive, That it is not intended to reſtrain the quarters of their Army reſpectively from each other, ſo as they come not neerer the quarters of the other Army: But that the forces at *Abbington* may remove to *Banbury*, or the Forces at *Henly* may remove to *Alisbury* or to any other place within the quarters of each Army reſpectively: So as the Forces of either Army reſpectively, come not neerer the quarters of the other Army, then they ſhall be upon the day agreed on for the Ceſſation to begin.

John Holland. *Northumberland.* *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

The Kings Queſtions concerning the Ceſſation, March 31. 1643.

HIs *Majeſty* deſires to be reſolved by the Committee of Lords and Commons, Whether the Forces of *Oxford* may not as well go to *Reading*, as the Forces of *Henly* may to *Alisbury*?

Whether his Majeſties Forces belonging to the army at *Oxford*, may not go to *Shrewsbury* or any other place backwards from *London*, ſo that in their march they approach no neerer to any quarters of any of the contrary armies, then ſome of his Majeſties Forces ſhall quarter upon the day agreed upon for the Ceſſation to begin.

Falkland.

The Committees anſwer concerning the Ceſſation, March 31. 1643.

WE humbly conceive, That by our Inſtructions we are not enabled to give any reſolution upon Your Maieſties queſtions concerning the removall of Quarters, other then we have already given. *Northumberland.*

John Holland. *Will. Pierrepoint.*
B. Whitlock. *Will. Armyne.*

A Letter from the Earl of Mancheſter, April 4.

MY LORD;

I Am commanded by the Lords in Parliament, to ſend unto your Lordſhip theſe encloſed Votes, for the giving your Lordſhip and the Committee longer time to treat of the firſt Propoſitions; This is all I have in command, as

April 2. *Your Lordſhips moſt humble Servant,*
MANCHESTER,
Speaker of the *Houſe pro tempore.*

Votes of both *Houſes* for four dayes longer to Treat. *April* 4.

Die Lunæ, Aprilis 3. 1643.

Reſolved upon the Queſtion by the Lords and Commons in Parliament Aſſembled.

THat further time ſhall be given to the Committee at *Oxon*, to treat upon the two firſt Propoſitions, *viz.* The firſt Propoſition of his Maieſties, and the firſt Propoſition of both *Houſes*.

Reſolved, &c.

THat the time preſcribed for the Treaty upon the two firſt Propoſitions, ſhall be untill Friday next. *Reſolved, &c.*

That Friday in this laſt queſtion, ſhall be taken incluſive.

Jo: Brown Cler. Parliamentorum.

His

His Majesties Message concerning the Cessation.

Charls R.

HOw His Majesty hath spent His time since the Committee from His two Houses of Parliament came hither, how willing He hath been (during the four dayes allowed to them) to expedite the Treaty it self, by the free and diligent disquisition of the particulars comprised in those two first Articles, and how intent he hath been upon the Cessation (which he thinks so necessary, and so much desires) since the last Message concerning the same came to Him, the Committee themselves cannot but observe: And though no conclusion could be made within the two dayes (a time limited with much strictnesse in a businesse of so great moment, where all words and expressions must be carefully and exactly weighed) His Majesty cannot doubt but both Houses will be willing to give and receive satisfaction in any particulars which are necessarily to be considered in concluding the same, though the two dayes are expired. And if His Majesty enlarges himself in His Replies more than may seem necessary to the Propositions and differences in debate, It must be remembred by what unnecessary & unwarrantable Expressions in this last Message from His two Houses; He is not only invited, but compelled thereunto, which he could heartily have wished might upon this occasion have been forborn.

1. For the freedom of Trade, His Majesty hath great reason to require, and the two Houses to admit that freedom to his good Subjects he desired; For what concerns the supply of the Army with Arms, Ammunition, Money, Bullion, and Victuals, He consented to the very tearms proposed by the two Houses; and that they may be observed, is contented that searches may be made, which being but the trouble of particular persons, is not considerable in respect of the publique benefit and advantage. But why all other liberty of traffique and Commerce should not be granted to his good Subjects, he cannot understand; for that His Majesties Armie should receive much advantage thereby, and the contrary army none, is in no degree confessed: For (besides, the restraint is to places where no part of his Majesties army is, and indeed the whole trade of the Kingdom interested) tis as great a support (if not a greater) to the contrary Army, to maintain and keep up the trade of London, from whence that receives its supply and relief, as to his Majesties Army to continue the trade of Oxford, or any other

place where his Forces reside, and to stop and seize the cloth, Kerseies, & other Western commodities (which his Majesty can daily do from Reading) would be as great disturbance to the Trade of London, as the seizing of any commodities (which may be done by the E. of Essex from Windsor or Wickham) can be to the Trade of Oxford; And therefore his Majesty hath great reason to presse, that mutuall and universall Freedom to all his good Subjects may be granted; Otherwise, he must either permit that Licence to his Army, to seize the goods of his people in their passage to London, and to interrupt and break the Trade and correspondence of the Kingdom (which both out of publike consideration, and private compassion, his Majesty is most adverse from) or else must grant that evident benefit & advantage to those who deny the same to him, and to his people for his sake. And it cannot be denyed, but this Freedom is so very beneficiall to his subiects, and so wholly considerable to his Maiestie under that Notion, that their very subsistance depends upon it, and by this means Trade may be continued, which, if a little more suppressed by these distractions, will not be easily recovered, even by a setled Peace. His Maiesty believes that some Carriers have been robbed by his Maiesties souldiers, But tis as true that no complaint hath been made to him of that kind, which he hath not received to the relief and reparation of the Petitioners. And tis therefore his desire that both Houses would joyn with him (at least during the Cessation) that there might be no more such violences and interruptions offered to his good Subiects by either side.

For the imbarquing the Merchants Goods in forraign parts, his Majesty denies that any endeavour hath yet been made by his Ministers of State to that purpose. But tis true, his Maiesty hath declared his Resolution, which he shall pursue, that such persons who absolve themselves from their obedience to him, and assist or consent to Actions of disloyalty to him here, shall be deprived of those advantages, and must not expect that Protection from him abroad, which is due, and which he alwayes hath and will allow to his good subiects. And this is not to make other Princes Arbiters of the differences betwixt his Maiesty and his people, but to use the mutuall amity and correspondence with other Princes, for the maintenance and support of that dignity for which it is made and entred into.

2. His Maiesty did not demand the approving of the Commanders of Ships onely, with reference to his present Right, for then he

he would have demanded, not the approbation of the Commanders, but the Ships themselves. But this demand was and is a thing most necessary for his Majesty, for the setting out the present Fleet, is pretended to be for the defence of his Majesties Dominions, and which cannot conveniently suffer any alteration in Commanders, if the Cessation and Peace should be fully and speedily agreed upon. And therefore tis most necessary for his Majesty, to know both the Designes, and to approve of the Commanders, who will not be so fit to be altered, when once they are sent out.

His Majesty cannot see how a Cessation at Sea between his Majesty and his Subiects, should leave the Kingdom naked to forraign Forces (a continuance of War may well do it:) And his Majesty is willing to concur in the resistance of al such, of what kind soever, and expects that during the Cessation, the conveying of all Forces, from one part to another by Sea, for the Assistance of the Earl of Essex be restrained, which both Houses seem now to consent to, which was not at all expressed in their former Articles.

3. His Majesties opinion, how unfit it was to Treat in Bloud, sufficiently appears, this debate concerning a Cessation arising first from his Majesties motion (it being left out in the Answer to his Message for a Treaty:) In order to which, he had and hath great reason to desire, that the Committee may have liberty to debate and conclude any differences and Expressions in the Articles of the Cessation, that the same may be reconciled and removed, without remitting all Questions to London; For as those now consented to, might in much lesse time have been agreed here, if there had been that liberty, so there can hardly be a right and cleer understanding of Intentions, without expounding of words, and knowing the meaning from each other; as in the consent which his Majesty now understands to be given by both Houses, that no Forces shall during the Cessation be sent by Sea for the releif of any place now held by them, the expression is not so cleer, but referreth to Articles, in which if it was not comprised before (as his Ma. doth not conceive it was) no alteration is made, by what now seems to be consented to, and the liberty which to all understandings may seem to be given, by removing out of one quarter to another, within the Precincts proposed, is not yet so demonstrable; The Committee having no power to Answer what they understand in that point which is most necessary to be known, that the Peace be not broken, during that Cessation; And his Majesty wonders that

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it should be thought unsafe or unfit to give such a conclusive power of such differences and doubts to the Committee here, when tis notoriously known, that the very liberty and property of the subject is committed not only to other Committees of the Houses, without reporting to the Houses, but to persons who are employed by them, uninteressed in, and unacquainted with the directions of either, or both Houses.

4. It was no part of his Majesties intention, that his Article against imprisonment of his subjects, otherwise than according to the known Laws of the Land, should extend to the destruction of the Military Discipline of either Army; but this is a very sufficient instance of the necessity of enabling some persons to conclude upon these Articles, without which (through inanimadvertence or doubtfulnesse in the expressions) they who are neerest of a minde, will hardly ever come to conclude, if every Punctilio must be forced to be sent forwards and backwards a hundred miles; And (if this authority had bin given to the Committee here, as for such causes was desired) a limitation of half a dozen words (which would have bin as soon agreed to as proposed) would have saved most of this fourth Reason. And he that desires any thing necessary to the speed of this Cessation, gives a good argument of desiring the Cessation it selfe, and whoever is averse to the one, can hardly be thought inclinable to the other.

But such of his subjects as are not concern'd in the discipline of the army, are not concern'd in this objection; and his Majesty hath reason to insist, that the same liberty may be restored to them, in which they were born, and the care and defence of which is so much and so meerly pretended by those who deny it to them.

5. Though it grieves his Majesty to the soul, to see the present miserable condition of his subjects, groaning under so many visible pressures, because of an invisible necessity, and plundered and imprisoned to maintain such a defensive war, as was begun to be raised against him, before his Majesty had granted one commission to raise a man; yet he cannot but be pleased with the ingenuity of this confession, that the implicite Faith of his seduced Subjects begins to wear out so fast, that the authority of Declaring new, unknowne Fundamentall Laws, doth not now so worke with them, to believe that these Taxes are layd according to the Laws of God and man, nor the many pretences of emminent dangers, and inevitable ruine of their Religion, Laws and Liberties, so perswade them to believe this

this Cauſe, to be the Cauſe of the Kingdom; But that if their cauſe, Authority and Eloquence were not aſſiſted by Force and Rapine, their army muſt needs be diſſolved for want of being thought fit, much leſſe neceſſary to be paid by thoſe who have equall right to judge of the neceſſity and danger, and for whoſe ſakes, intereſts and concernments onely it was pretended to be raiſed, and who are defended by it againſt their wills; Nor is it ſtrange that His Majeſty cannot receive theſe charges upon him, as a reaſon to make him contented and *Acquieſce* with theſe injuries to his ſubjects; Or that they who ſaw his Majeſties condition the laſt yeer (till cōtinued violence againſt him, opened the eyes and hearts of his ſubjects to his aſſiſtance) ſhould not believe that he began that War, which they ſaw him ſo unlikely to reſiſt; Or that they, who could never finde, nor hear from them (who uſe not to modeſtly to conceal what is for their advantage) that from the beginning of the world to this preſent Parliament, ever one man was raiſed before by Commiſſion from both Houſes, ſhould not beleeve the raiſing of that their army to be ſo warranted as is pretended, and any more approved of their Law, then of their Neceſſity; Or that they who know that his Majeſty (in whom the power of making Warre and Peace was never denyed to be, till theſe new Doctrines, which make it unlawfull for Him to do any thing, and lawfull to do any thing againſt Him, were of late diſcovered) though He can legally raiſe an army, is not allowed to be legally able to raiſe Money to maintain it, will not allow of the argument, from the power of Raiſing, to the power of Taxing, & are as little ſatisfied with their Logick, as with their Law, and extremely troubled to pay an army they do not deſire, for a Neceſſity they cannot ſee, by a Law they never heard of; And that other men without their conſent muſt be jealous, fearfull & quick-ſighted at their charges, and they have great reaſon to be apt to ſuſpect that thoſe made moſt haſte to make a War, and have leaſt deſire of making Peace, who in time of war pretend their legall power to be ſo vaſtly inlarged; His Majeſty therefore hath great reaſon to inſiſt, that no Violence or Plundering be offered to his ſubjects for not ſubmitting to the illegall Taxes of one or both Houſes, which in it ſelf is equall; His Majeſty being willing to be oblig'd frō the like courſe, and relying wholly upon the known juſtice of his Cauſe, and the affection of his people, and in which (if the Kingdom be of their minde, and beleeve the cauſe of the contrary army to be really their own) the advantage will be wholly theirs, and this Judgement will

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be best given, when the people is left to their liberty in this decision.

His Majesties reall desire of disbanding the Armies, may fully appear by his often seeking, and earnest endeavours to continue & conclude this Treaty in order to that disbanding.

6. His Majesty leaves their Preamble to all the world to consider and to judge, whether any man by their saying they were ready to agree to his Majesties Articles, in the manner as was expresst, would not have expected to have found after that expression, that they had agreed at least to some one thing materiall in them, and had not only meant by agreeing as was expresst, to expresse they would not agree at all.

For the clause of Communication of quarters so quietly left out, His Majesty looks upon it as of most infinite importance, the leaving out of that, having dis-composed the whole, many things having in the rest been assented to, which were therfore only yeelded, because the inconveniencies growing by these clauses, if they were alone, were salved by that addition; and some things in the other very dark and doubtfull, were by that interpreted and cleered. And his Majesty is sufficiently informed how highly it concerns him, that every thing be so cleer, that after no differences may arise upon any disputable point, since they whose union, industry, subtility & malice could perswade any of his people, that in the businesse of Braunceford he had broken a Cessation before any was made or offered, would have a much easier work to lay the breach of a made cessation to his Majesties charge, if the ground of that breach would bear the least dispute.

His Majesty doth agree, That to preserve things in the same state on both sides, with as little advantage, or disadvantage to either, as the matter will possibly bear, is truly the nature of a Cessation, and is willing this principle should be made the rule, and never intended any thing that should contradict it; But cannot see the inequality in this which is pretended, For could Sir Ralph Hopton and the Earle of Newcastle come by this means to the King, and not the Earl of Stamford, and Lord Fairfax to the Earl of Essex: Nor can his Ma. finde any strong passes or forces to hinder his Armyes from joyning with him, than hinders theirs from joyning with them. If the forces be unequall, theirs will hardly hinder the passage of his without a cessatiõ; if they be equall, their coming in time of cessation, will be of equall use & advantage to their side, somewhat

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in point of supplies to come with them excepted; & [illegible]ctions to to one side will be, poize it how you will. But on th[illegible] if this clause be not in, how much greater is the disadvan[illegible] the other way by some clauses? And how are his Forces (principally the Earle of Newcastles) cooped up in old and eaten up quarters, or necessitated to retire to such as are more barren and more eaten; So that if this were yéelded to, under the disguise of a Cessation, He must admit that which will much endanger the dissolving of the Army, and destruction of the Cause, which is such a disadvantage, as is against the nature of a Cessation formerly agréed and stated.

Notwithstanding all this, His Majesty to shew His extraordinary and aboundant desire of Peace, and to prevent the effusion of bloud; Is contented, if both Houses shall refuse to consent to His Propositions, which are so much for the benefit and advancement of the publique Trade, and advantage of his good Subjects, to admit a Cessation upon the matter of their own Articles (excepting that liberty be given to the Committee to word it, according to the reall meaning & intention; And that the remove of quarters within their own bounds, which is intended, may be so exprest and understood, that no mistakes may arise.) So that his Majesty may not be understood to consent to any imposing upon, leavying, distraining, or imprisoning his good subjects to force them to contribute, or assist against him (which he shall alwayes continue to inhibit, Requiring all men to resist those illegall acts of injustice and violence, against which he doth absolutely protest;) And so that there may not be a liberty for any Rapine, Plundering, or seizing upon his Subjects, by any of the Souldiers of that Army, for not submitting to such illegall impositions as aforesaid; For otherwise, they may during this Cessation (besides what is already impos'd) impose new Taxes, not onely to the Ninetéenth part, but if they please (for their pleasure is all their bound) to the half of, or all their estates upon his good subjects in his City of London, and all Counties within their reach; and their army would then be at leisure to be emploied as collectors aswell of the old impositions, (which in most places without their army they cãnot leavy) as of any such new one, and vast sums would and might by this means be raised to the destruction of his Subjects, extraordinary advantage to them, and great disadvantage to His Majesty; Who can neither obtain His own Consent to take the like courses, Nor in case Hee could, is Hée so

be beſt given, to have within the power of his army, without breach ciſion...nation, by drawing nearer to their forces, any ſuch City, or many, ſo rich, and ſo freſh Counties, as they have to retire into to that purpoſe. So that as nothing is more juſt in it ſelf, and for his people, than ſuch a limitation, ſo nothing can be more unequall to His Majeſty, or more advantagious to them, than the admiſſion of, or connivence to any ſuch practiſes upon His People. This ceſſation to begin on the 9. of April, and to continue to the end of 20. daies, from the 25. of March. And his Majeſty deſires that the Treaty may proceed upon the Propoſitions in order, upon which his Majeſty hath an earneſt deſire, that a firm and ſtable peace may be agreed on, and both armies ſpeedily disbanded; otherwiſe, if during this Ceſſation (in the Articles of which his Majeſty in order to peace, hath yelded to things manifeſtly unreaſonable & prejudiciall to his Army) the Treaty be not diſpatched, His Majeſty cannot without manifeſt ruine to his army (principally that of the North) be able to contain himſelf beyond this time now limited for the Ceſſation, in the quarters in which he hath ſo long bin, and now is, and which will hardly be able to hold out ſo long, but muſt be forced to remove, as he ſhall find agreeable for his occaſions.

And in caſe any delay be made in conſenting to theſe his Majeſties limitations, or that the Houſes ſhall reject this his offer of Ceſſation; his Majeſty as he hath lately deſired (by a Propoſition to both Houſes, delivered to their Committee, to which he hath yet received no anſwer) ſo he doth earneſtly continue to deſire, That the Treaty it ſelfe may not be delayed or interrupted by it, but that their Committee may be enabled to proceed upon it in the mean while.

Copia vera. Jo. Brown Cler. Paliamentorum.

Addition of four dayes longer to Treat, April 4. 1643.

WE humbly acquaint Your Maieſty, That we received this morning the Reſolution of both Houſes of Parliament; whereby farther time is given to us to treat upon the two firſt Propoſitions, *viz.* The firſt propoſition of your Maieſty, and the firſt propoſition of both Houſes. And that the time preſcribed for the treaty upon the two firſt propoſitions, ſhall be untill Friday night.

Northumberland.

John Holland. *Will: Pierrepoint.*
B. Whitlocke. *Will. Armyne.*

A Let-

A Letter from both Houſes, Received April 8. 1643.

WE are commanded to ſend theſe incloſed Inſtructions to you from both Houſes of Parliament; By which the reſolutions of the Houſes will appear unto you: This is all we have in command, and reſt,

Weſtminſter the 7. *of April,* 1643.

Your humble Servants,
MANCHESTER.
Speaker *pro tempore.*
William Lenthall.
Speaker of the Commons Houſe.

Inſtructions concerning the Ceſſation. Received *April* 8. 1643.

A farther Addition of Inſtructions agreed upon by the Lords and Commons in Parliament, for Algernon *Earl of* Northumberland, William Pierrepoint, *Eſquire*; *Sir* William Armyne *Baronet, Sir* John Holland *Baronet, and* Bulſtrode Whitlock *Eſquire*; *Committees of both Houſes of Parliament attending His Majeſtie at Oxon.*

YOu are hereby to take notice, That the two Houſes have conſiderred his Majeſties Anſwer to their reaſons concerning the Ceſſation, wherein there are divers expreſſions which reflect much upon the honor and juſtice of the Houſes, and might occaſion particular Replies; Yet at this time they deſire to decline all conteſtation, their wiſhes and endeavours being earneſtly bent upon the obtaining a ſpeedy peace; For which cauſe they do not think good to conſume any more of that time allowed for the treaty, in any farther debates upon the Ceſſation; concerning which, they find his Maieſties expreſſions ſo doubtfull, that it cannot be ſuddenly or eaſily reſolved; and the remainder of the time for the whole treaty being but ſeven dayes, if the Ceſſation were preſently agreed, it would not yield any conſiderable advantage to the kingdom. Wherfore you ſhall deſire his Majeſty, That he will be pleaſed to give a ſpeedy and poſitive Anſwer to their firſt Propoſition concerning the disbanding, that ſo the people may not have only a ſhadow of peace in a ſhort time of Ceſſation, but the ſubſtance of it in ſuch manner as may be a perpetuall bleſſing to them, by freeing the kingdome from thoſe miſerable effects of War, the effuſion of Engliſh bloud, and deſolation of many parts of the Land.

For the obtaining of which happineſſe, The Lords and Com-

mons have resolved to enlarge your power, That if you shall not have fully agreed upon the two first Propositions before Friday night; you may notwithstanding any former restraint, proceed to treat upon them according to the Instructions formerly given you, although the articles of the Cessation are not agreed upon.

And those two first Propositions being concluded, the two Houses will thereupon give you further Instructions to proceed to the other Propositions, that so the whole Treaty may be determined within the twenty dayes formerly limited, to be reckoned from the 25. of March last, which can admit no alteration or enlargement, without manifold prejudice and danger to the whole Kingdom.

John Brown Cler. Parliamentorum.

The Kings
REPLY
Touching CESSATION:
And His desire to enable the COMMITTEE to Treat upon the Propositions in the mean time: And touching His coming to the *PARLIAMENT*.

C. R.

IF the Comittee according to his Majesties desire had had but power to agree in the wording of expressions in the *Articles* of cessation,

His

His Majeſties (which are as cleer as the matter would bear, and as he could make them) had not appeared ſo doubtfull to any, but that the ceſſation might have bin ſuddenly & ſpeedily reſolved, and that long before this time. And if the expreſſions of both Houſes in their reaſons had not neceſſitated his Majeſty in his own defence, to give ſuch anſwers as could not upon thoſe points deliver truth without ſome ſhew of ſharpnes, no expreſſion of that kinde in his Majeſties anſwer had given any pretence for the rejection of, or refuſing ſo much as to treat upon this ceſſation, which (though it were at preſent for no long time) yet was from the day named by themſelves the 25th of March; Whereas His Majeſty firſt mov'd for a Ceſſation and Treaty without any limitation at all in the time of either, and his Majeſty was moſt ready to have inlarged the time (ſo that in the meane while the point of quarters might be ſo ſetled, as that his Armies might ſubſiſt) and which might have been (if they had pleas'd) a very good and promiſing earneſt, and fore-runner of that great bleſſing of Peace; for the obtaining of which, the wiſhes and endeavours of all good men being earneſtly bent, a farther debate in order to ſo great a benefit, did not deſerve to be ſtiled a conſumption of time. And his Majeſty cannot but conceive himſelf to be in a ſtrange condition, if the doubtfulneſſe of expreſſions (which muſt alwayes be whileſt the Treaty is at ſuch a diſtance, and power is denied to thoſe upon the place to help to cleer and explain) or his neceſſary Replying to charges laid upon him (that hee might not ſeem to acknowledge what was ſo charged) or the limitation of the time of ſeven dayes for the Treaty (which was not limited by his Majeſty, who ever deſired to have avoided that and other limitations which have given great interruptions to it) ſhould be aſwell believed to be the grounds, as they are made the arguments of the Rejection of that, which (next to Peace it ſelf) his Majeſty above all things moſt deſires to ſee agreed and ſetled, and which his Majeſty hopes (if it may be yet agreed on) will give his people ſuch a taſte of ſuch a bleſſing, that after a ſhort time of conſideration, and comparing of their ſeverall conditions in War and Peace, and what ſhould move them to ſuffer ſo much by a change, they will not thinke thoſe their friends that ſhall force them to it, or be themſelves ready to contribute to the renewing of their former miſeries, without ſome greater evidence of neceſſity then can appeare to them, when they ſhall have ſeen (as they ſhall ſee, if this Treaty be ſuffered to proceed)

That his *Majesty* neither asks nor denies any thing, but what not only according to Law He may, but what in Honor and care of his people he is oblig'd to ask or deny. And this alone (which a very short Cessation would produce) his *Majesty* esteems a very considerable advantage to the kingdom; And therfore cannot but presse again and again, that, what ever is thought doubtfull in the expressions of the Articles, may (as in an hour it may well be done) be expounded; and whatsoever is excepted at, may be debated and concluded, and that power and instructions may be given to the Committee to that end, That the miserable effects of War, the effusion of English bloud, and desolation of *England* (untill they can bee totally taken away) may by this means be stayed and interrupted.

His *Majesty* supposes, that when the Committee was last required to desire his *Majesty* to give a speedy and positive Answer to the first Proposition concerning disbanding; His Answers in that point (to which no Reply hath been made, and which hee hopes by this time have given satisfaction) were not transmitted and received: But wonders the *Houses* should presse his *Majesty* for a speedy and positive Answer, to the first part of their first Proposition concerning disbanding, when to the second part of the very same Proposition concerning his return to both *Houses* of Parliament, they had not given any power or instructions to the Committee, so much as to treat with his *Majesty*. And when his Majesty (if his desire of peace, and of speeding the treaty in order to that, had not been prevalent with him) might with all manner of Justice have delayed to begin to treat upon one part, untill they had been enabled to treat upon the other; In which point, and for want of which power from them, the only stop now remains: His *Majesties* Answers to both parts of their first Proposition, being given in, transmitted, and yet remaining unanswered.

To which, untill the *Houses* shall be at leisure to make answer, that as little delay in this treaty as is possible may be caus'd by it; His Majesty desires likewise, That the Committee may be enabled to treat upon the following Propositions in their severall orders.

A Letter from both Houſes, April 8.

WE have ſent unto you by this Gentleman Sir *Peter Killegrew* ſome additionall Inſtructions, by which your Lordſhip and the reſt of the Committee will perceive the Reſolutions which the Houſes have taken, upon the papers which they received this day from you; This is all we have in command, and remain,

Weſtminſter this 8 of April, 1643.

Your Lordſhips humble Servants,
MANCHESTER.
Speaker of the Houſe of Peers, *pro tempore.*
WILL. LENTHALL,
Speaker of the Commons Houſe in Parliament.

Inſtructions concerning the Inſiſting, Received, *April* 9. 1643.

Additionall Inſtructions for Algernon *Earle of* Northumberland, William *Lord Viſcount* Say *and* Seale, William Pierrepoint, *Eſq;*, *Sir* William Armyne, *and Sir* John Holland *Baronets*, Bulſtrode Whitelocke *Eſquire*; *Committees from both Houſes, attending His Majeſty at Oxford.*

Magazines and inlarging the time.

THe two *Houſes* of Parliament are unſatisfied with his Majeſties Anſwer to that Clauſe of the firſt Propoſiton which concernes the *Magazins*. Wherefore you are to deſire his Majeſty to make a further Anſwer in ſuch manner as is expreſt in the Inſtructions formerly given you; And you ſhall let his *Majeſty* know, *That* the Lords and Commons do not think fit to enlarge the time of the *Treaty*, beyond the twenty dayes formerly limited.

Cinque-Ports, Towns, Forts, and Caſtles.

THey likewiſe remain unſatisfied with his *Majeſties Anſwer* concerning the Cinque-Ports, *Towns*, Forts and Caſtles, being in the moſt materiall points an expreſſe denyall: Wherefore you are to inſiſt upon their deſire for another anſwer according to your Inſtructions.

Ships.

THey obſerve in his Majeſties *Anſwer* concerning the Ships, not only a denyall to all the deſires of both Houſes; But likewiſe a Cenſure upon their proceedings. However, you are to inſiſt upon their deſires expreſſed in your Inſtructions.

Disbanding

Disbanding.

THey further conceive, That his Majesties Answer to their first Proposition concerning the disbanding, is in effect a deniall, unlesse they desert all those cautions and limitations which they have desired in their answer to his Majesties first Proposition. Wherefore you are to proceed, Insisting upon that part of their first Proposition concerning the disbanding, according to your Instructions.

KINGS Return to the Parliament.

YOu shall declare to his Majesty the desire of both Houses of his Majesties coming to his Parliament, which they have often expresst with as full offers of security to his royall person, as was agreeable to their duty and allegiance; and they know no cause why his Majesty may not repair hither with honour and safety, but they did not insert it into your Instructions, because they conceived the disbanding of the armies would have facilitated his Majesties resolution therein, which they likewise conceived was agreeable to his Majesties Sense, who in declaring his Consent to the order of the Treaty, did only mention that part of the first Proposition which concerned the disbanding, and did omit that which concerned his coming to the Parliament.

Oath of Officers.

THey conceive the ordinary oaths of the Officers mentioned, are not sufficient to secure them against the extraordinary causes of jealousie, which have bin given them in these troublesome times; and that his Majesties answer layes some tax upon the Parliament, as if defective, and thereby uncapable of making such a provisionall law for an oath. Therefore you shall still insist upon their former desires of such an oath as is mentioned in your Instructions.

If you shall not have received his *Majesties* positive answer to the humble desire of both Houses in these two first Propositions, according as they are expresst in your Instructions, before the twenty dayes limited for the Treaty shall be expired; you shall then with convenient speed repair to the Parliament, without expecting any further direction.

Jo: Brown, Cler. Parliamentorum.

CHARLES REX,

TO shew to the whole World how earnestly His Majesty longs for peace, and that no successe shall make him desire the continuance of his Army to any other end, or for any longer time then that, and untill things may be so setled, as that the Law may have a full, free, and uninterrupted course for the defence and preservation of the Rights of His Majesty, both Houses and his good Subjects.

1. *As soon as His Majestie is satisfied in His first Proposition concerning His owne Revenue, Magazines, Ships, and Forts, in which he desires nothing but that the just knowne legall Rights of his Majesty (devolved to him from His Progenitors) and of the persons trusted by Him, which have violently been taken from both, be restored unto Him, and unto them, unlesse any just and legall exceptions against any of the persons trusted by Him (which are yet unknowne to His Majesty) can be made appeare to Him.*

2. *As soon as all the Members of both Houses shall be restored to the same capacity of sitting and voting in Parliament as they had upon the first of* January, 1641. *the same of right belonging unto them by their birth-rights, and the free election of those that sent them, and having been voted from them for adhering to his Majestie in these distractions; His Majestie not intending that this should extend either to the Bishops whose Votes have beene taken away by Bill; or to such in whose places upon new VVrits, new elections have beene made.*

3. *As soon as* His *Majesty and both* Houses *may be secured from such tumultuous assemblies, as to the great breach of the priviledges, and the high dishonour of Parliaments have formerly assembled about both* Houses, *and awed the Members of the same, and occasioned two severall complaints from the Lords house, and two severall desires of that house to the house of Commons to joyne in a Declaration against them, the complying with which desire might have prevented all these miserable distractions which have ensued. VVhich security his Majestie conceives can be onely setled by adjourning the Parliament to some other place, at the least twenty miles from* London, *the choice of which his Majestie leaves to both houses.*

His Majesty will most cherefully and readily consent that both Armies be immediately disbanded, and give a present meeting to both His Houses

of Parliament at the time and place, at and to which the Parliament ſhall be agreed to be adjourned.

His Majeſtie being moſt confident that the Law will then recover the due credit and eſtimation, and that upon a free debate in a full and peaceable convention of Parliament, ſuch Proviſions will be made againſt ſeditious preaching and printing againſt his Majeſtie, and the eſtabliſhed Lawes, which hath been one of the chiefe cauſes of the preſent diſtractions, and ſuch care will be taken concerning the legall and known Rights of his Majeſty, and the property and liberty of his Subjects, that whatſoever hath been publiſht or done in or by colour of any illegall Declaration, Ordinance, or Order of one or both Houſes, or any Committee of either of them, and particularly the power to raiſe Armes without His Majeſties conſent, will be in ſuch manner recalled, diſclaimed, and provided againſt, that no ſeed will remain for the like to ſpring out of, for the future, to diſturbe the peace of the Kingdome, and to endanger the very being of it.

And in ſuch a convention his Majeſtie is reſolved by his readineſſe to conſent to whatſoever ſhall be propoſed to him by Bill, for the reall good of his Subjects, (and particularly for the better diſcovery and ſpeedier conviction of Recuſants, for the education of the children of Papiſts by Proteſtants in the Proteſtant religion, for the prevention of practiſes of Papiſts againſt the State, and the due execution of the Lawes, and true leavying of the penalties againſt them) to make known to all the World how cauſeleſſe thoſe feares and jealouſies have been, which have been raiſed againſt him, and by that ſo diſtracted this miſerable Kingdome.

And if this offer of His *Majeſty be not conſented to (in which he aſkes nothing for which there is not apparent Juſtice on* His *ſide, and in which* He *defers many things highly concerning both* Himſelfe *and People, till a full and peaceable convention of Parliament which in Iuſtice* He *might now require*) His *Majeſty is confident that it will then appeare to all the World not onely who is moſt deſirous of peace, and whoſe default it is that both Armies are not now disbanded, but who hath beene the true and firſt cauſe that this peace was ever interrupted or theſe Armies raiſed, and the beginning or continuance of the Warre, and the deſtruction and deſolation of this poore Kingdome (which is too likely to enſue) will not by the moſt interreſſed, paſſionate or prejudicate perſon be imputed to* His *Majeſtie.*

His

His Maieſties Queſtions before the Treaty, and the Committees Anſwers, *March* 25, 1643.

His Majeſty *deſires to be anſwered theſe Queſtions, in writing, by the* Committee *of both Houſes.*

1. WHether they may not ſhew unto Him thoſe Inſtructions (according to which they are to Treat and Debate with His Majeſty upon the two firſt Propoſitions) of which the laſt Meſſage from both Houſes takes notice, and refers unto?

2 Whether they have power to paſs from one Propoſition to the other in the Debate, before His Majeſty have expreſt His mind concerning the Propoſition firſt entred into?

3 Whether they have power to give an entire Anſwer to His Majeſties firſt Propoſition, before His Majeſties Reply to any part thereof, or to paſſe from any part of that Propoſition to another part of the ſame, before his Majeſty hath given a Reply concerning that part?

4 Whether in caſe His Majeſties Anſwer or Reply to any part of either Propoſition do not ſatisfie them, they have power to ſend up that His Anſwer or Reply to both Houſes, and proceed upon the debate of another part of the ſame?

5 Whether they have power to conclude theſe two Propoſitions?

6 Whether they have power to preſſe or conſent unto the execution of either of theſe two Propoſitions, or any part of them, till the whole Treaty be agreed upon? *Falkland.*

The Committee of *Lords* and *Commons* appointed to attend His *Majeſty* upon the Treaty, do humbly return theſe Anſwers to the Queſtions *propounded by His* Majeſty.

March 25, 1643.

To the firſt. THey are enjoyned not to ſhew or diſcover their Inſtructions, or to give any Copy of them.

To the ſecond. Concerning His Majeſties firſt Propoſition, and the firſt Propoſition of both Houſes of Parliament, they humbly conceive they may paſſe from the one Propoſition to the other, after that His Majeſty hath given His Anſwer to the particular part of either Propoſition that ſhall be in debate.

To the third. They humbly conceive, that they are to receive His Majesties Reply to that part of the Proposition to which they give their Answer, before they proceed to any other part of either Proposition.

To the fourth. They humbly conceive, that when they have received His Majesties Answer or Reply to any part of either Proposition, wherein they are not satisfied, they are to send that His Majesties Answer, or Reply to both Houses, and in the mean time may proceed to another part of either Proposition.

To the fifth. They humbly conceive they may conclude these two Propositions if they be agreed unto according to their Instructions.

To the sixth. They humbly conceive they may press and consent unto the execution of the two Propositions, according to their Instructions, before the whole Treaty be agreed upon.

Northumberland.

I. Holland. *W. Pierpoint.*
B. Whitlock. *W. Armyn.*

The Papers concerning leave to repaire to his Majesty.

March 27, 1643.

WHereas wee humbly presented to your Majesty severall Answers to Your Majesties demands in your first Proposition, and in Reply to those Answers, wee have received severall Papers from Your Majesty. Our humble desires are that Your Majesty would be pleased to give us leave to repair unto you for our farther satisfaction upon any doubts which shall arise amongst us in those Papers wee have already received, or any other which we shall hereafter receive from Your Majesty, before such time as we shall transmit them to both Houses of Parliament.

Northumberland.

John Holland. *W. Pierpoint.*
B. Whitlock. *W. Armyn.*

March 28, 1643.

HIs Majesty is well pleased, that the *Committee* of both Houses repair unto him for their further satisfaction upon any doubts which shall arise amongst them, in the Papers they have already received, or any other which they shall hereafter receive from His Majesty, and to which they shal not have acquiesced, before they transmit them to both Houses of Parli-

The Papers concerning the Revenue.

March 26, 1643.

To that part of Your Majesties first Proposition concerning Your Majesties own Revenue, we give this Answer.

THe two Houses of Parliament have not made use of Your Majesties own Revenue, but in a very small proportion, which for a good part hath bin imployed in the maintenance of Your Majesties Children, according to the allowance established by Your Self. And the two Houses of Parliament will satisfie what shall remain due to Your Majesty of those sums received out of Your Majesties own Revenue. And will leave the same to Your Majesty for the time to come.

We likewise humbly propose to Your Majesty, that You will restore what hath bin taken for Your Majesties use, upon any of the Bils assigned to other purposes, by severall Acts of Parliament, or out of the provision made for the war of *Ireland*.

Northumberland.

Wil. Pierpoint. *Wil. Armyn.*
Iohn Holland. *B. Whitlock.*

March 26, 1643.

HIs Majesty knows not what Proportion of his Revenue hath bin made use of by his two Houses of Parliament, but He hath reason to believe that if much of it hath not bin used, very much remains still in their hands, His whole Revenue being so seized and stopped by the Orders of one or both Houses, even to the taking away of his Money out of his Exchequer and Mint, and Bonds (forced from his Cofferers Clerks) for the Provision of his Majesties Houshold, that very little hath come to his Majesties use for his own support. He is well contented to allow whatsoever hath bin imployed in the maintenance of his Children, and to receive the Arreares due to himself, and to be sure of his own for the future.

He is likewise willing to restore all Moneys taken for his Majesties use by any Authority from him, upon any Bils assigned to other purposes; his Majesty being assured he hath received very little or nothing that way, and expects that satisfaction be made for all those severall vast sums received and diverted to other purposes, by Orders of one or both Houses, which ought to have bin paid upon the Act of Pacification to his Subjects of *Scotland*, or imployed for the discharge of the debts of this Kingdom, and by other Acts of Parliament for the relief of his poore Protestant Subjects of *Ireland*.

Falkland.

March 27. 1643.

HIs Majesty desires to be resolved by the Committee from both Houses, whether their Proposition to his Majesty to restore what hath bin taken for His Majesties use upon any of the Bils. &c. be a new demand, or a condition upon which onely that is granted which goes before? *Falkland.*

March 27. 1643.

WHereas your Majesty desired to be resolved by us whether the Proposition to Your Majesty to restore what hath bin taken for Your Majesties use upon any of the Bils, &c. be a new demand, or a Condition upon which onely that is granted which goes before.

We humbly conceive it to be no new demand; but whether it be such a Condition upon which onely that which goes before is granted, we are not able to resolve.

Northumberland.

W. Peirpoint. *John Holland.*
W. Armyne. *B. Whitlock.*

March 27. 1643.

Whereas we have received Your Majesties Answer of the 26 of this instant to ours of the same date, concerning Your Majesties own Revenue.

WE humbly desire to know of your Majesty, if You will not accompt Your own Revenue to be sure for the future, if both Houses of Parliament do leave it in the same way as it was before these troubles did begin. *Northumberland.*

W. Pierpoint *I. Holland.*
W. Armyne. *B. Whitlock.*

March 27. 1643.

HIs Majesty did intend in his former Answer by those words (of being sure of His own for the future) that no restraints or interruption should be made by one or both Houses in and upon his Majesties Revenue, but that it should be left in the same way it was before these troubles did begin. *Falkland.*

March

March 28. 1643.

WE ſhall tranſmit Your Majeſties anſwer to that part of Your Propoſition concerning Your Revenue, to both Houſes of Parliament, without farther Reply.

Northumberland.
W. Peirepont. *B. Whitelocke.*
I. Holland. *W. Armyne.*

The Papers concerning the Magazines.

March 26. 1643.

To that part of Your Majeſties firſt Propoſition concerning Your Magazines, *we humbly give this Anſwer.*

THat all the Armes and Ammunition, taken out of your Majeſties Magazines, which ſhall remaine in the hands of both Houſes of Parliament, ſhall be delivered into your Stores, and whatſoever ſhall be wanting, they will in convenient time ſupply in kinde, according to the Proportions which they have received. We likewiſe humbly propoſe unto your Majeſty, that the perſons to whoſe charge thoſe publike Magazines ſhall be committed, being nominated by Your Majeſtie, may be ſuch as the two Houſes of Parliament ſhall confide in. And that Your Majeſtie will reſtore all ſuch Armes and Ammunition as have been taken for Your Majeſties uſe from the ſeverall Counties, Cities, and Towns.

Northumberland.

W. Pierpoint. *Io. Holland.*
W. Armyne. B. *Whitelocke.*

March. 27. 1643.

HIS Majeſtie is content that all the Armes and Ammunition taken out of his Magazines, which do now remain in the hands of both houſes, or of Perſons imployed by them, be forthwith delivered into ſuch of his Stores as his Majeſtie ſhall appoint, and that whatſoever ſhall be wanting of the Proportions taken out from thence by them, be ſupplied by them with all convenient ſpeed in kinde. Which ſhall be committed to, and continued in the cuſtody of the ſworn Officers, to whoſe places the ſame belongs. And if any of the ſaid Officers ſhall have forfeited, or ſhall forfeit that truſt by any miſdemeanours, his Majeſtie will by no meanes defend them from the Juſtice of the Law.

For the reſtoring all ſuch Armes and Ammunition as have been taken for his Majeſties uſe from the ſeverall Counties, Cities, and Towns, his Ma-

jeſtie

jeſtie being compelled to take them, his own being taken from him, did it alwayes with this Caution and promiſe to the places from whence he took them, that he would, by the bleſſing of God, reſtore them again, and make recompence out of his own Stores, as ſoone as it ſhould be in his power; which promiſe he will make good to them, expecting that ſuch Arms and Ammunition as have beene taken from the ſeverall Counties, Cities and Townes, for the uſe of the Armies under the command of the Earle of *Eſſex* be likewiſe reſtored to them.

Falkland.

March 28. 1643.

Whereas we have received Your Majeſties anſwer of the 27. of this moneth, to ours of the 26. of this inſtant, concerning Your Majeſties Magazines.

WE humbly deſire to know of your Majeſty what time you intend, by the expreſſion in the words (be forthwith delivered.)

We likewiſe humbly deſire to know in what places Your Majeſty would have your Stores, and who are the ſworne Officers your Majeſtie intends, that according to our Inſtructions we may tranſmit their names to both houſes of Parliament.

Northumberland.

W. Pierrepont. *I. Holland.*

W. Armyne. *B. Whitelocke.*

March 28. 1643.

HIS Majeſtie intended by that Expreſſion (be forthwith delivered) as ſoon as the Treaty ſhall be concluded, and agreed on.

Falkland.

March 29. 1643.

THe place of Store into which his Majeſtie is content that the Armes and Ammunition, taken out of his Magazines, be delivered, is his Tower of *London*; and the Officers he intends, are ſuch as by Patent ought to receive and keep the ſame.

Falkland.

March 29. 1643.

Concerning the Magazines.

WE humbly deſire, according to our Inſtructions, that the perſons to whoſe charge the publike Magazines ſhould be committed, being nominated by your Majeſtie, ſhould be ſuch as the Lords and Commons ſhould confide in.

We

We, not knowing whether the two houſes will conſide in the perſons your Majeſty mentions, muſt tranſmit their names to both houſes of Parliament to receive their farther Inſtructions.

Northumberland.

W. Pierrepont. *J. Holland.*
W. Armyne. *B. Whitelocke.*

April 5. 1643.

HIs Majeſty conceives his Anſwer concerning the perſons to whoſe cuſtody his Magazines ſhall be committed, to be very cleare and ſufficient, and ſhall forbeare any more particular Nomination of them, the two houſes well knowing whether they have any juſt exceptions to make againſt any of them, which if they have, his Majeſty will leave them to the due courſe of juſtice.

Falkland.

April 10. 1643.

BY Inſtructions yeſterday received from both houſes of Parliament, we are commanded humbly to deſire your Majeſty to make a further anſwer to that clauſe of the firſt Propoſition which concerns the Magazines; and we are humbly to acquaint your Majeſty, that the two houſes of Parliament doe not think fit to enlarge the time of the Treaty beyond the twenty daies, formerly limited, to be reckoned from the five and twentieth of *March* laſt, which can admit no alteration or enlargement without manifold prejudice and danger to the whole Kingdome.

Northumberland.

Will. Pierrepoint. *Will. Armyne.*
Ioh. Holland. *B. Whitelocke.*

Aprill 14. 1643.

HIs Majeſty having made ſeverall Anſwers to that Clauſe of the firſt Propoſition, which concernes the Magazines, knowes not what Anſwer to make further, except he were informed what part of the Propoſitions made to him was not clearely anſwered, or had reaſons given him to change and alter the Anſwer already made; neither of which is yet done. And he is very ſorry that both houſes of Parliament have not thought fit to enlarge the power of the Committee, (whereby leſſe time would have ſerved for the Treaty) and are ſo abſolutely reſolved not to enlarge the time of the Trea-

tie beyond the twenty dayes which (by meſſages and attending the Inſtructions of the houſe) are ſo neere ſpent, notwithſtanding all poſſible readineſſe in his Majeſty, and which in truth might have ended all the propoſitions, if ſufficient authority had been given to the perſons imployed to debate and conclude: neither can his Majeſty underſtand why an Alteration or Inlargement, in the point of time cannot be admitted without manifold prejudice and danger to the whole Kingdom. He prayes to God, that an averſneſſe to ſuch an alteration and inlargement may not prove an unſpeakeable prejudice and danger to the whole Kingdom.

Falkland.

The Papers concerning the Townes, Forts, Cinque-Ports, &c.

march 27. 1643.

To that part of Your Majeſties *firſt Propoſition, which concernes Your* Majeſties Townes, *and* Forts, *we humbly give this Anſwer.*

THat the two houſes of Parliament will remove the Garriſons out of all Townes and Forts in their hands, wherein there were no Garriſons before theſe troubles, and ſleight all Fortifications made ſince that time, and thoſe Townes and Forts to continue in the ſame condition they were in before, and that thoſe garriſons ſhall not be renewed, nor the Fortifications repaired, without conſent of Your Maieſty, and both houſes of Parliament.

That for thoſe Townes and Forts which are within the Juriſdiction of the Cinque-ports, they ſhall be delivered up into the hands of ſuch a Noble Perſon as your Majeſty ſhal appoint to be Warden of the Cinque-ports, being ſuch a one as they ſhall confide in.

That the Town of Portſmouth ſhall be reduced to the number of the garriſon as was at the time, when the Lords and Commons undertooke the cuſtody thereof; and ſuch other Forts, Caſtles and Townes as were formerly kept by garriſons, as have bin taken by both houſes of Parliament into their care and cuſtody, ſince the beginning of theſe troubles, ſhall be reduced to ſuch proportion of garriſon as they had in the yeare 1636. And ſhall be ſo continued. And that all the ſaid Towns, Forts, and Caſtles ſhall be delivered up into the hands of ſuch perſons of quality and truſt, to be likewiſe nominated by Your Maieſty, as the two Houſes of Parliament ſhall confide in.

4. That

4. That the Warden of the Cinque-ports and all Governours and Commanders of Townes, Castles, and Forts, shal keep the same Townes, Castles, and Forts respectively for the service of your Majesty, and the safety of the Kingdom; and that they shal not admit into any of them any forraigne forces, or any other Forces raised without Your Majesties authority, and consent of the two Houses of Parliament; and they shall use their utmost endeavours to suppresse all Forces whatsoever, raised without such authority and consent; and they shall seize all Armes and Ammunition provided for any such Forces.

They likewise humbly propose to Your Majesty, that you would remove the garrisons out of *Newcastle*, and all other Townes, Castles, and Forts, where any garrisons have been placed by Your Majesty since these troubles, and that the Fortifications be likewise sleighted, and the Towns and Forts left in such State and condition as they were in, in the yeare. 1636.

That all other Townes, Forts, and Castles, where there have been formerly garrisons before these troubles, may be committed to the charge of such persons to be nominated by Your Majesty, as both houses of Parliament shall confide in, and under such Instructions as are formerly mentioned.

And that those new Garrisons shall not be renewed, nor their Fortifications repaired without consent of your Majesty, and both Houses of Parment.

Northumberland.

Will. Pierrepont. *Will. Armine,*
Ioh. Holland. *B. Whitelock.*

March, 28. 1643.

HIs Majesty is content that all the garrisons in any Townes & Forts in the hands of any persons imployed by the two houses of Parliament, wherein there were no garrisons before these troubles, be removed, and all fortifications made since that time, may be sleighted, and those Towns and Forts shall for the future, continue in the same condition they were in before.

For the Cinqueports, they are already in the custody of a Noble person, against whom his Majesty knowes no just exceptions, and who hath such a legall interest therin, that his Majesty cannot with Justice remove him from it, untill some sufficient Cause be made appeare to him; but is willing if he shal at any time be found guilty of any thing that may make him unworthy of that trust, that he may be proceeded against according to the rules of Justice.

The Town of Portsmouth, and all other Forts, Castles and Townes, as were formerly kept by garrisons, shall be reduced to their ancient proportion, and the government of them put into the hands of such persons against

whom no just exceptions can be made, all of them being before these troubles by Letters Patents granted to severall persons, against any of whom his Majesty knowes not any exceptions, and who shall be removed if just cause shall be given for the same.

The Warden of the Cinqueports, and all Governors and Commanders of Townes, Castles, and Forts, shall keepe the same Townes, Castles, and Forts, as by the Law they ought to doe, for his Majesties service, and the safety of the Kingdome; and they shall not admit into any of them forraigne Forces, or other Forces raised or brought in contrary to the Law, but shall use their utmost endeavour to suppresse all such Forces, and shall seize all Armes and Amunition, which by the Lawes and Statutes of the Kingdom they ought to seize.

The Garrisons of *Newcastle*, and all other Towns, Castles, and Forts, in which Garrisons have been placed by his Majesty since these troubles, shall be removed, and all the Fortifications shall be sleighted, and the Towns and Forts left in such state and condition as they were in the year, 1636.

All other Townes, Forts, and Castles, where there have beene formerly Garrisons before these troubles, shall be committed to the charge of such Persons, and under such cautions and limitations as his Majesty hath before expresst.

And no new Garrisons shall be renewed, nor their Fortifications repaired, otherwise then as by the Lawes and Statutes of the Kingdome, they may or ought to be. *Falkland.*

March. 29. 1643.

COnceming the appointing of the Warden of the Cinque-ports, and Governors of Your Majesties Townes, Castles, and Forts, we humbly desire to know if Your Majesties Reply doth intend, that both houses of Parliament may expresse their confidence of the persons to whose trust those places are to be committed, for that we are directed by our instructions, that if Your Majesty be pleased to assent thereunto, that You would nominate persons of Quality to receive the charge of them. That we may forthwith certifie both houses of Parliament, that thereupon they may expresse their confidence, in those persons or humbly beseech your Majesty to name others; none of which persons to be removed, during three yeares next ensuing, without just cause to be approved by both houses of Parliament, and if any be so removed, or shall dye within the said space, the persons to be put in the same Offices shall be such as both houses shall confide in.

We humbly desire to know if Your Majesty intends the Garrison of Portsmouth, to be of such a proportion as it was about the yeare 1641. About which

which time a new ſupply was added to the former Garriſon to ſtrengthen it. which both houſes of Parliament think neceſſary to continue.

We humbly deſire Your Majeſty would be pleaſed to give a more full anſwer to this clauſe, that they ſhould not admit into them any forraigne or other forces, *Raiſed without Your Majeſties authority and conſent of the two houſes of Parliament*, and that they ſhall uſe their utmoſt endeavours to ſuppreſſe all forces whatſoever, *Raiſed without ſuch authority and conſent*, and that thoſe Garriſons ſhould not be renewed, or their fortifications repaired without conſent of Your Majeſty and both houſes of Parliament.

Northumberland. *I. Holland.* *B. Whitelock.*
W. Armine. *Will. Pierrepont.*

April. 5. 1643.

HIs Majeſty doth not intend that both Houſes of Parliament ſhall expreſſe their Confidence of the Perſons to whoſe truſt the *Cinqueports*, or other His Majeſties Townes, Caſtles and Forts now are, or ſhall be committed, but onely that they ſhall have liberty upon any juſt exceptions to proceed againſt any ſuch perſons, according to Law; His Majeſty being reſolved not to protect them againſt the publique Juſtice. And well knowing that when any of thoſe places ſhall be voyd. the Nomination and free election is a right belonging to, and inherent in *His* Majeſty. And having been enjoyed by all his royall progenitors, His Majeſty will not believe that His wel-affected ſubjects will deſire to limit him in that right.

His Majeſty intends the Garriſon of *Portſmouth* to be of ſuch a proportion as it was in the yeare, 1641. Except he finds good cauſe to enlarge or diminiſh that porportion.

His Majeſty cannot give a more full Anſwer to that Clauſe concerning the admiſſion of Forces into any of his Forts, Caſtles and Towns, then he hath alread given, his Majeſty having therein made the Lawes and Statutes of the Kingdom the rule of what is, or what is not to be done, Which will be alwayes the moſt impartiall Judge between him and his people.

Falkland.

April. 10. 1643.

BY inſtructions yeſterday received from both houſes of Parliament, we are commanded humbly to deſire another anſwer from Your Majeſty concerning the Cinque-ports, Townes, Forts, and Caſtles, Your Majeſties former anſwers concerning them being, in the moſt materiall poynts, expreſſe denialls, as both houſes of Parliament underſtand them.

Northumberland.

I. Holland. *W. Pierrepont.*
W. Armyne. *B. Whitelock.*

April. 14. 1643.

His Majesty will not at this time remember the many Acts of grace and favour he hath passed this Parliament for the good of his people; but he must say, he hath not denied any one thing proposed to him by both Houses, which in Justice could be required of him, or in reason expected; and he hath been and is still so unwilling to give a deniall to both his Houses, that as they shall be sure to receive none to any proposition they shall make of right, so in matters of grace and favour, he shall be willing to receive any information and reason, which at any time may invite him to consent, and therefore will gladly receive any reason from the Committee, or both houses, which may induce his Majesty to give another Answer, then what he hath already given in the poynt of the Cinque-ports Forts and Castles; but till such be given, he cannot consent to dispossesse any of his servants of what they are legally possest, without a just cause expresst, or to quit his own right of sole disposing of their commands, no other cause yet appearing to him, then that the places they command have been taken from him.

Falkland.

April. 14. 1643.

YOur Majesty, in one of Your papers this day delivered unto us, mentions that You would gladly receive any reason from both houses, or their Committee, which may induce Your Majesty to give another answer then what You have already given in the point of the Cinque-ports, Forts, Castles and Magazines.

We did according to our instructions, humbly desire Your Majesty that the Cinqueports, Forts and Castles might be put into the hands of such noble persons and persons of quality and trust, to be nominated by Your Majesty, as the two houses of Parliament should confide in, and to be kept for Your Majesties service, and the safety of the Kingdom, that no forraigne forces, or other forces raised without Your Majesties authority, and consent of the two houses of Parliament, should be admitted into any of them, and the Commanders to use their utmost endeavours to suppresse all Forces raised without such authority and consent, and to seize all armes and ammunition provided for any such Forces.

Unto which we humbly desire Your Majesties gracious assent, and to our other desires concerning Your Majesties first proposition, and the first proposition of both houses of Parliament, for that we humbly conceive Your consent thereunto will be the best meanes for such a peace to be made, as wil

be

be safe firme, and lasting the which is not to be hoped for, except there be a cure for feares & Jealousies, for which an apparent remedy is to disband all Forces, and the same to be so mutually done, as neither part to have any force remaining, of which the other may be Jealous or in feare, but if for other causes, not concerned in these unhappy differences, Forces are to be retained, as in the Cinque-ports, and in some Forts, Townes, and Castles for the defence of the whole Kingdom against forraigne Enemies, that then the same may remain in the hands of such persons, with such powers, as both parts might believe themselves secure; for if the same places were considered in relation onely to these unnaturall distempers, and to the setling thereof, the Forces in them were likewise to be disbanded.

Northumberland.

J Holland. *W. Armine.*
W. Pierrepont. *B. Whitelock.*

April 15. 1643.

AS His Majesty was and is very desirous to receive any reason from both Houses, or their Committee, which might induce His Majesty to give other answers, if what he hath or shall give, doe not satisfie, so he rather expected those reasons should have had their foundation in the Law of the Land, and have shewed him that by Law he had not the right he pretended, or that by that, or by some fundamentall Law, they had a right superiour to his in what was now in question, or have shewed him some legall reason why the persons trusted by him were incapable of that trust, then only have insisted upon Feares and Jealousies, of which as he knowes not the ground, so he is ignorant of the Cure. But this His Majesty knows, that it readinesse to acknowledge, retract and provide against, for the future any thing of errour that hath hapned against Law, and having actually passed more important bills, and parted with more of his known rights for the satisfaction of his Subiects, then not only any one, but all his predecessors, would have been thought a sufficient remedy for feares and Jealousies, the Kingdom might still have enjoyed a safe, firme, and lasting peace, and those would not first have been made a reason to seize upon his rights, and then after have been made an argument to perswade him to part with them. And his Majesty wonders the Committee should not see, that this argument might extend to the depriving him of, or at least, sharing with him in, all his just regall powe (since Power as well as Forces may be the object of Feares and Jealousies, and there will be alwayes a power left to hurt, whilest there is any left to protect and defend;) And that if those rights, which he received from his predecessours were really

so formidable, That would have beene more feared before, which is now feared so much, and his Forts and Castles would either not have been attempted, or at least have enabled him to defend and keep them, and have kept this from being a Question now between them. Which since they could not do, his Majestie (if he had as much inclination, as he hath more right, to Feares and Jelousies) might have more reason to insist upon some addition of Power, as a security to enable him to keepe his Forts, when he hath them, then they to make any difficultie to restore them to him in the same condition they were before. But as his Majesty contents himselfe with, so, he takes God to witnesse, his greatest desire is alwaies to observe and maintain the Law of the Land, and expects the same from his Subjects, and beleeves the mutuall observance of that rule, and neither of them to feare what the Law fears not, to be on both parts a better cure for that dangerous disease of Fears and Jealousies, and a better means to establish a happy and a perpetuall Peace, then for his Majestie to devest himselfe of those trusts which the Law of the Land hath setled in the Crowne alone, to preserve the power and dignity of the Prince, for the better protection of the Subject, and of the Law, and to avoid those dangerous distractions which the interest of any Sharers with him would have infallibly produced.

Falkland.

The Papers concerning the Ships.

March 27. 1643.

To that part of your Majesties first Propesition, which concerns your ships, we humbly give this Answer.

That the Ships shall be delivered into the charge of such a noble person as your Majestie shall nominate to be Lord high Admirall of *England*, and the two houses of Parliament confide in, who shall receive the same Office by Letters Patents, *quàm diu se bene gesserit*, and shall have power to nominate and appoint all subordinate Commanders and Officers, and have all other powers appertaining to the Office of high Admirall, which Ships he shal imploy for the defence of the Kingdom against all forraigne Forces whatsoever, and for the safeguard of Merchants, securing of Trade, and the guarding of *Ireland*, and the intercepting of all supplies to be carried to the Rebels, and shall use his utmost endeavour to suppresse all Forces which shall be raised by any person without your Majesties authority, and consent of the Lords and Commons in Parliament, and shall seize all Armes and Ammunition provided for supply of any such Forces.

Northumberland. *W. Pierrepont.* *J. Holland.*

W. Armyne. *B. Whitelocke.* *March*

March 28. 1643.

His Maieſtie expects that his owne Ships bee forthwith delivered to him, as by the Law they ought to bee. And when hee ſhall pleaſe to nominate a Lord high Admirall of *England*, it ſhall be ſuch a noble perſon againſt whom no juſt exception can be made, and if any ſhall be, his Maieſtie will alwayes leave him to his due triall and examination, and grant his Office to him by ſuch Letters Patents as have been uſed; in the meane time his Maieſtie will governe the ſaid Admiraltie by Commiſſion as in all times hath been accuſtomed. And what ever Ships ſhall be ſet forth by his Maieſtie, or his authoritie, ſhall be imployed for the Defence of the Kingdome againſt all Forraigne Forces whatſoever, for the ſafeguard of merchants, ſecuring of Trade, guarding of *Ireland*, and the intercepting of all ſupplies to be carried to the Rebels, and ſhall uſe their utmoſt endeavours to ſuppreſſe all Forces which ſhall be raiſed by any Perſon whatſoever, againſt the Lawes and Satutes of the Kingdome, and to ſieze all Armes and Ammunition provided for the ſupply of any ſuch Forces.

Falkland.

March 29. 1643.

WE humbly deſire your Majeſtie would be pleaſed to give a more a more full Anſwer to the clauſe for the Ships to be delivered into the charge of ſuch a Noble perſon, as your Majeſtie ſhall nominate to be Lord high Admirall of *England*, and the two houſes of Parliament confide in, who ſhall receive the ſame Office by Letters Patents, *Quam diu ſe bene geſſerit.*

And to that clauſe, to ſuppreſſe all Forces which ſhall be raiſed by any perſon without your Maieſties Authority, and conſent of the Lords and Commons in Parliament.

Whereunto if your Majeſtie ſhall be pleaſed to give your aſſent, we conceive we are then directed by our Inſtructions, humbly to deſire your Majeſtie to nominate ſuch a noble Perſon to bee Lord high Admirall of *England*, that we may forthwith certifie both houſes of Parliament, that thereupon they may expreſſe their confidence in that Perſon, or humbly beſeech your Majeſtie to name another, and that in caſe ſuch noble Perſon, who ſhall be appointed to bee Lord

High Admirall of *England* ſhall be removed, or ſhall die within the ſpace of three yeers next enſuing, that the Perſon to be put in the ſame Office ſhall be ſuch, as both Houſes ſhall confide in.

Northumberland.

W. Pierrepont. *I. Holland.*
W. Armyne. *B. Whitelocke.*

April. 5. 1643.

HIs Majeſtie conceives his former Anſwer of the 28. of *March*, concerning his Ships, to be ſo full, that he can adde nothing thereunto in any part of it.

His Majeſtie conceiving it all the Juſtice in the world for him to inſiſt, that what is by Law his own, and hath been contrary to Law taken from him, be fully reſtored unto him, without conditioning to impoſe any new limitation upon his Majeſty or his miniſters, which were not formerly required from them by Law, and thinking it moſt unreaſonable to be preſt to diminiſh his own juſt Rights himſelfe, becauſe others have violated and uſurped them.

Falkland.

April. 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to inſiſt upon the deſires of both Houſes expreſſed in our former Papers concerning the Ships: And both houſes of Parliament doe obſerve in your Majeſties Anſwer, not onely a deniall to all their deſires, but likewiſe a cenſure upon their proceedings.

Northumberland.

W. Pierrepont. *I. Holland.*
W. Armyne. *B. Whitelocke.*

April. 14. 1643.

HIs Majeſtie for the preſent forbears any farther anſwer touching his Ships, deſiring firſt to receive the anſwer of both Houſes, to his Meſſage of the twelfth of this moneth: But his Majeſtie will howſoever, before their departure hence, give them a further anſwer.

Falkland.

April.

April. 15. 1643.

HIs Majeſtie gave ſo cleare a reaſon to juſtifie what he inſiſted upon in the point of the Ships, that he cannot but wonder to ſee the ſame againe preſt to him, and yet both the reaſon he gave, left unanſwered, and no other Reaſon oppoſed to weigh againſt it. His Majeſties end in this, was not to lay any cenſure upon their proceedings, but it being neceſſary to the matter in Queſtion, for his Majeſtie to ſay what had been done, and the matter of fact being ſuch, as it ſeems could not be repeated, but it muſt appeare to bee cenſured; his Majeſtie did not thinke himſelfe bound to bee ſo tender of ſeeming to cenſure their proceedings, as by waving his own true reaſonable Juſtifications, to leave his owne naked and expoſed to a generall cenſure. And his Majeſtie hopes, that ſince they eſteem his ſaying, that they have taken his Ships from him contrary to Law to be a Cenſure, they will either produce that Law by which they tooke them, or free themſelves from ſo juſt and unconfutable a cenſure, by a ſpeedie and unlimited reſtoration. Upon which demand, his Majeſties care of his ancient and undoubted Rights, doth oblige him to inſiſt. And when his Maieſtie ſhall thinke fit to make an Admirall, as neere as he can, he ſhall be ſuch an one, againſt whom no iuſt exception can be made, and if any ſhall be offered, he will readily leave him to the triall of the Law.

Falkland.

The Papers concerning an Oath for Officers.

March 29. 1643.

WE are humbly to deſire your Maieſtie, that all Generalls and Commanders in any of the Armies on either ſide, as likewiſe the Lord Admirall of *England*, the Lord Warden of the Cinque-Ports, all Commanders of any Ships, and Commanders of any Towne, Caſtle, or Fort, may take an oath to obſerve the articles formerly mentioned, and to uſe their utmoſt power to preſerve the true reformed Proteſtant Religion, and the peace of the Kingdome, againſt all forraign Forces, and all other Forces raiſed without your Maieſties authority, and conſent of the two houſes of Parliament.

Northumberland.

W. Pierrepont. *J. Holland.*

W. Armine. *B. Whitelocke.*

April 5. 1643.

HIs Majeſty conceives the Oathes which all thoſe Officers are already by Law obliged to take, to be very fully ſufficient: But if any thing ſhall be made appeare unto him neceſſary to be added thereunto, when there ſhall be a full and peaceable Convocation in Parliament, his Majeſty will readily conſent to an Act for ſuch an addition.

Falkland.

April. 10. 1643.

BY Inſtructions yeſterday received from both houſes of Parliament we are commanded humbly to informe your Majeſty, that both houſes of Parliament conceive the ordinary Oathes of the Officers mentioned in your anſwer concerning the ſame, are not ſufficient to ſecure them againſt the extraordinary Cauſes of jealouſie, which have beene given them in theſe troubleſome times. And that your Majeſties anſwer layes ſome taxe upon the Parliament, as if defective, and thereby uncapable of making ſuch a proviſionall Law for an Oath. Therefore we are humbly to inſiſt upon our former deſires for ſuch an oath, as is mentioned in thoſe papers which we have formerly preſented to your Majeſty concerning this matter.

Northumberland.

I. Holland. *W. Pierrepont.*
W. Armyne. *B. Whitelocke.*

April. 14. 1643.

HIs Majeſty did not refuſe by his former Anſwer, to conſent to any ſuch Oath as ſhall bee thought neceſſary, though hee did, and doth ſtill conceive the Oathes already ſetled by Law to be ſufficient, neither did he ever ſuppoſe the Parliament incapable of making a proviſionall Law for ſuch an Oath; but as he would be willing to apply any proper remedie to the extraordinary Cauſes of Jealouſies, if he could ſee that there were ſuch cauſes, ſo hee will be alwaies moſt exact in obſerving the Articles agreed on in preſerving the true reformed Proteſtant religion, and the peace of the Kingdome againſt Forraigne Forces, and other Forces raiſed or imployed againſt Law. And when both Houſes ſhall prepare and preſent

ſent ſuch an oath, as they ſhall make appeare to his Majeſty to be neceſſary to thoſe ends, his Majeſty will readily conſent to it.

Falkland.

The Papers concerning the diſbanding of the Armies.

March 28. 1643.

His Majeſties Anſwer to the firſt Propoſition of both his Houſes of Parliament.

HIs Majeſty is as ready and willing, that all Armies be disbanded, as any perſon whatſoever, and conceives the beſt way to it, to be a happy and ſpeedy concluſion of the preſent Treaty, which (if both houſes will contribute as much to it, as his Majeſty ſhall doe) will be ſuddenly effected. And that this Treaty may the ſooner produce that effect, His Majeſty deſires that the time given to the Committee of both houſes to treat, may be enlarged.

And as his Majeſty deſires nothing more then to be with his two houſes, ſo he will repaire thither as ſoon as he can poſſibly doe it with his honour and ſafety.

Falkland.

March 29. 1643.

VVE are directed by our Inſtructions humbly to deſire your Majeſties ſpeedy and poſitive anſwer concerning the disbanding of the Armies, to which if your Majeſty be pleaſed to aſſent, we are then to beſeech your Maieſty in the name of both houſes, that a neere day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkeſhire*, and the other Northern Counties, as alſo in *Lancaſhire*, *Cheſhire*, and in the Dominion of *Wales*, and in *Cornewall* and *Devonſhire*. And they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnſhire*, *Nottinghamſhire*, *Leiceſterſhire*, and all other places, except at *Oxford* and the Quarters thereunto belonging, and *Windſor* and the Quarters thereunto belonging. And that laſt of all, a ſpeedy day may be appointed for the disbanding of thoſe two Armies at *Oxford* and *Windſor*, and all the Forces members of either of them.

That

That some Officers of both Armies may speedily meet to agree of the manner of the disbanding, and that fit persons may be appointed by your Majesty, and both houses of Parliament, who may repaire to the severall Armies, and see the disbanding put in speedy execution accordingly.

Northumberland.

W. Pierrepont. *W. Armyne.*
I. Holland. *B. Whitelocke.*

March 29. 1642.

Concerning Your Majesties Answer to the Proposition of both Houses for disbanding of the Armies.

WE humbly desire to know, if by the words, (*By a happy and speedy Conclusion of the present Treaty,*) your Majesty doe intend a conclusion of the Treaty on your Majesties first proposition, and their proposition for disbanding the armies, or a conclusion of the Treaty in all the propositions of both parts.

We have given speedy notice to both houses of Parliament, of your Majesties desires, that the time given to the Committee of both houses to treat may be enlarged.

To the last Clause we have no Instructions.

Northumberland.

Will. Pierrepont. *Ioh. Holland.*
Will. Armyne. *B. Whitelocke.*

April 5. 1643.

HIs Majesty intended by the words, *By a happy and speedy conclusion of the Treaty*, such a conclusion of or in the Treaty, as there might be a cleere evidence to himselfe and his good Subjects of a future peace, and no ground left for the continuance or growth of these bloody dissentions; which, he doubts not may be obtained, if both houses shall consent, that the Treaty may proceed without further interruption or limitation of daies.

FALKLAND.

Aprill.

April 5. 1643.

WHen the time for disbanding the Armies shal be agreed upon, His Majesty well approves that some Officers of both Armies may speedily meet to agree of the manner of disbanding, and that fit persons may be appointed by his Majesty, and both Houses of Parliament, who may repaire to the severall Armies, and see the disbanding speedily put in execution accordingly.

FALKLAND.

April 6. 1643.

WE humbly desire to know, if by the words (*By a happy and speedy conclusion of the present Treaty*) Your Majesty intends a conclusion of the present Treaty on Your Majesties first Proposition, and the Proposition of both Houses for disbanding of the Armies, or a conclusion of the Treaty on all the Propositions of both parts.

And what your Majesty intends to be a cleare evidence to your selfe, and your good Subjects of a future peace, and no ground left for the continuance or growth of these bloody dissentions.

Northumberland.

W. Pierrepont. *I. Holland.*
W. Armyne. *B. Whitelocke.*

April 6. 1643.

HIs Majesty desires to know from the Committee of both Houses whether they acquiesce with His Majesties Replies to their Answers concerning His first Proposition, which yesterday they received from Him, and to which they have yet made no returne.

His Majesty likewise desires to know, whether they have yet received power and Instructions to Treat with his Majesty concerning his return to His two Houses of Parliament, which is a part of the first Proposition of both houses.

Falkland.

April 6. 1643.

WE shall transmit your Majesties Replies to our Answers, concerning your first proposition to both houses of Parliament, without farther reply.

We likewise humbly answer, that we have not received any power or Instructions to treat with your Majesty concerning your return to Your

two

two Houſes of Parliament, but we aſſure our ſelves they will give your Majeſty ſatisfaction therein.

Northumberland.

Ioh. Holland. *Will. Armyne.*
Will. Pierrepont. *B. Whitelocke.*

April 7. 1643.

HIs Majeſty conceives His Anſwers already given, (for he hath given two) to be very cleere and ſignificant. And if the concluſion of the preſent Treaty on his Majeſties firſt Propoſition, and the propoſition of both Houſes ſhall be ſo full, and perfectly made, that the Law of the Land may have a full, free, and uninterrupted Courſe, for the defence and preſervation of the rights of His Majeſty, both Houſes, and His good Subjects, there will be thence a cleare evidence to his Majeſty and His good Subjects of a future Peace, and no ground left for the continuance and growth of theſe bloody diſſentions, and it will be ſuch a concluſion as his Majeſty intended.

His Majeſty never intending that both Armies ſhould remaine undiſbanded untill all the Propoſitions of both ſides were fully concluded. But his Majeſty is very ſorry that in that point of the firſt Propoſition of both Houſes, which hath ſeemed to be ſo much wiſhed, and which may be ſo concluded as alone much to conduce to the evidence deſired, (*viz.* his returne to both houſes, to which his Majeſty in his Anſwer hath expreſſed himſelfe to be moſt ready, whenſoever he may doe it with honour and ſafety) they have yet no manner of Power nor inſtructions ſo much as to treat with his Majeſty.

Falkland.

April 7. 1643.

WE have not tranſmitted your Majeſties anſwer to the Propoſition of disbanding, wherein your Majeſty mentions your ſelfe to be moſt ready to return to both houſes of Parliament, whenſoever you may doe it with honour and ſafety, for that we humbly conceive, we were to expect your Majeſties anſwer to that Propoſition this day received, before we could give a due accompt thereof to both houſes of Parliament, the which we will preſently ſend away without farther reply.

Northumberland.

I. Holland. *W. Armine.*
W. Pierrepont. *B. Whitelock.*

April.

April 8. 1643.

BY Inſtructions this day received from both Houſes of Parliament, we humbly conceive that we are to acquaint Your Majeſty, That they have taken into conſideration Your Majeſties anſwer to their reaſons concerning the Ceſſation, wherein there are divers expreſſions which will occaſion particular replies, which at this time they deſire to decline, their wiſhes and endeavours being earneſtly bent upon the obtaining a ſpeedy Peace, for which cauſe they do not think good to conſume any more of the time allowed for the Treaty, in any farther debates upon the Ceſſation, concerning which they find your Majeſties expreſſions ſo doubtfull, that it cannot be ſuddenly or eaſily reſolved, and the remainder of the time for the whole Treaty, being but ſeven dayes, if the Ceſſation were not preſently agreed, it would not yeeld any conſiderable advantage to the Kingdom.

Wherefore we are required to deſire Your Majeſty to give a ſpeedy and poſitive anſwer to the firſt Propoſition concerning the disbanding, that ſo Your Subjects may not only have a ſhadow of peace in a ſhort time of Ceſſation, but the ſubſtance of it in ſuch manner as may be a perpetuall bleſſing to them, by freeing the Kingdom from theſe miſerable effects of warre, the effuſion of Engliſh bloud, and deſolation of many parts of the Land.

Northumberland.

Joh. Holland. *Will. Armyne.*
Will. Pierrepont. *B. Whitelock.*

April 10. 1643.

BY Inſtructions yeſterday received from both Houſes of Parliament, we are commanded humbly to inſiſt upon that part of the firſt Propoſition of both Houſes of Parliament, concerning the disbanding, according to the Papers we have formerly preſented to Your Majeſty thereupon. And we are humbly to acquaint Your Majeſty, That both Houſes of Parliament do conceive Your Majeſties Anſwer concerning the disbanding to be in effect a denyall, unleſſe they differt all thoſe cautions and limitations, which they have deſired in their Anſwer to Your Majeſties firſt Propoſition.

Northumberland.

Will. Pierrepont. *Will. Armyne.*
Joh. Holland. *B. Whitelock.*

April 10. 1643.

BY Inſtructions from both Houſes of Parliament yeſterday received, we are commanded to declare unto Your Majeſty the deſire of both Houſes for Your Majeſties coming to Your Parliament, which they have often expreſſed with full offers of Security to Your Royall Perſon, agreeable to their duty and allegiance, and they know no cauſe why Your Majeſty may not return thither with Honour and Safety; but they did not inſert it into our Inſtructions, becauſe they conceived the disbanding of the Armies would have facilitated Your Majeſties Reſolution therein, which they likewiſe conceived was agreeable to Your Majeſties ſenſe, who in declaring Your conſent to the order of the Treaty, did only mention that part of the firſt Propoſition which concerned the disbanding, and did omit that which concerned Your Majeſties coming to both Houſes of Parliament.

Northumberland.

Will. Pierrepont. *Will. Armyne,*
Joh. Holland. *B. Whitelock.*

April 14. 1643.

HIs Majeſty had great reaſon to expect, that as He anſwered to every part of the firſt Propoſition of both Houſes, ſo the Committee ſhould likewiſe have had power and Inſtructions to Treat with His Majeſty concerning both parts of the ſame; nor had the Houſes any reaſon to ſuppoſe their courſe agreeable to His Majeſties ſenſe, for His Majeſty in declaring His conſent to the order of the Treaty, indeed mentioned their firſt Propoſition by the ſtile of the firſt Propoſition which concerned disbanding, but did not ſtile it that part of the firſt Propoſition which concerned disbanding, as if he had meant to have excluded any part of that Propoſition from being treated on, he would and ought to have done, but though his Majeſties Anſwers in the point of disbanding and return to his Parliament were as particular and as ſatisfactory as his Majeſty had cauſe to make, or could well give, till this latter part were conſented to be Treated upon; yet out of His great deſire of peace, and of complying with both houſes, His Majeſty hath made a full and particular Anſwer and Offer to both houſes, concerning as well the firſt part of their firſt Article, upon which he hath treated with the Committee, as that upon which they have yet no power to treat, though His Majeſty hath preſt that ſuch power might be given to them.

Faulkland.

April

April 14. 1643.

WE received Inſtructions from both Houſes of Parliament the ninth of this preſent *April*, and in purſuance thereof, we humbly preſented a Paper to Your Majeſty upon the tenth of this inſtant, wherein thoſe Inſtructions were expreſſed. and the deſire of both Houſes concerning Your Majeſties return to Your Parliament.

Northumberland.

Will. Peirrepont. *Will. Armyne.*
Job. Holland. *B. Whitelock.*

April 15. 1643.

HIs Majeſty doth acknowledge to have received a Paper from the Committee upon the tenth of *April*, expreſſing, That they had received Inſtructions, to declare unto His Majeſty the deſire of both Houſes for His Majeſties coming to His Parliament, which they had often expreſt with full offers of ſecurity to His Royall Perſon, agreeable to their Duty and Allegiance; and that they know no cauſe why His Majeſty might not return thither with honour and ſafety. But as the Committee had before acknowledged in a Paper of the ſixth of *April*, not to have any power or Inſtructions to treat with His Majeſty concerning His Return to His two Houſes of Parliament, and as this Paper mentioned no Inſtructions to treat, but only to deliver that ſingle Meſſage concerning it, ſo His Majeſty took it for granted, that if they had received any new power or Inſtructions in that point, they would have ſignified as much to Him, and therefore conceiving it in vain to diſcourſe, and impoſſible to treat upon that, with thoſe, who had no power to treat with Him, His Majeſty addreſt that Anſwer concerning that point to both Houſes, of which His Majeſty took notice to the Committee in a Paper of the ſeventh of *April*, and which was ſhewed to them before He ſent it. And if both Houſes will upon it but conſent, to give His Majeſty ſuch ſecurity as will appear to all indifferent Perſons to be agreeable to their Duty and Allegiance (thoſe Tumults which drove Him from thence, and what followed thoſe Tumults, being a moſt viſible and ſufficient reaſon why He cannot Return thither with His Honour and Safety, without more particular offers of ſecurity, then as yet they have ever made Him) all diſputes about that point between them, will be ſoon ended, and His Majeſty ſpeedily return to them, and His whole Kingdom to their former Peace and Happyneſſe.

Faulkland.

His Majesties Letter to the Queens Majesty.

Oxford, $\frac{20\ Febru.}{23\ Janu.}$

DEar Heart, Saturday and Sunday last, I received two from thee, of the 29 of *December*, 9 of *January*, both which, gave me such contentment, as thou mayest better judge, then I describe; the which, that thou mayest the better do, know, I was full three weeks wanting but one day, without hearing from thee; besides, skurvy *London* news of thy stay and lamenesse, which though I did not beleeve, yet it vext me so much the more, that I could not prove them lyars; So now I conjure thee by the Affections thou beares me, not only to judge, but likewise participate with me in the contentment thou hast given me by assuring me of thy health and speedy return, concerning 45. 31. 7. 4. 132. 300. I will answer thee in thy own words, *Je le remetteray a vous respondre per bouche*, being confident that way to give thee contentment; in the mean time assure thy Self, That I neither have, nor will loose any time in that businesse, and that I have not contented my Self with Generalls; and though I hope shortly to have the happynesse of thy company, yet I must tell thee of some particulars, in which, I desire both thy opinion and assistance: I am persecuted concerning places, and all desire to be put upon thee, the which I cannot blame them; and yet thou knowest I have no reason to do it. *Newarke* desireth *Savills* place, upon condition, to leave it when his father dyeth; *Carenworth*, the same being contented to pay for it, or give the profit to whom, or how I please; *Digby* and *Dunsmore*, for to be Captain of the Pentioners, *Hartford* once looked after it; but now I beleeve he expects either to be Treasurer, or of my Bed-chamber; I incline rather to the latter if thou like it, for I absolutely hold *Cottington* the fittest man for the other. There is one that doth not yet pretend, that doth deserve as well as any, I mean *Capell*; therefore I desire thy assistance to finde somewhat for him before he ask. One place I must fill before I can have thy opinion, It is the Master of the Wards; I have thought upon *Nicholas*, being confident that thou wilt not mislike my choice; and if he cannot performe both, *Ned Hyde* must be Secretary, for indeed, I can trust no other. Now I have no more time to speak of more, but to desire thee not to engage thy Self for any;

Dated *Oxford*.
2° *Febru*.
23 *Janu*.

So I rest eternally thine,
C. R.

My

My Lord,

IT is His Majeſties pleaſure, that there be ſomething attempted upon the Caſtle of *Warwick*; Therefore you are to ſend as many Muſquetiers as you can horſe, with the Prince of *Wales* his Regiment of horſe, and your own; This bearer *La Roche* will bring Petarrs, and all things neceſſary for them: you muſt march to morrow in the Evening, to be there before break of the day on Saterday.

Oxford, 2 of *March*. 1643.

Your faithfull friend, *Rupert.*

For the Earl of Northampton *at* BANBURY.

My Lord,

I Have acquainted the King with the hinderance you have in your deſire, He was pleaſed to command me to tell you, That your Lordſhip ſhould ſend one of your Scouts to enquire, if *Ingrom* be in the Caſtle; if he be, you may ſafely go on with your deſigne; for knowing but of your coming, he will make but little or no reſiſtance, and the ſooner, the better; if after this, you ſhould think it feaſible to raiſe the ſiege at *Litchfield*, you have alſo that power to do it. This bearer will informe you with ſome other particulars. So I reſt

Oxford, the 3 of *March*, at 12 at night.

Your Lordſhips Moſt faithfull friend *Rupert.*

To the Earl of Northampton, RUPERT.

His Majesties Letter to the Queen.

DEar Heart, Though ever since Sunday last, I had good hopes of thy happy Landing, yet I had not the certain news thereof, before yesterday, when I likewise understood of thy safe coming to *York*; I hope thou expects not welcome from me in words, but when I shall be wanting in any other way (according to my wit and power) of expressing my Love to thee, then, let all honest men, hate and eschew me, like a Monster; and yet when I shall have done my part, I confesse, that I shall come short of what thou deservest of Me.

H 3: 189: *e* 3: 42: 17: 25: 27: 39: 21: 66: *a* 1: 45: 31: 7: 4: 32: 18: 47: 46: 9: 3: *d* 4: *g* 4: 46: 35: 67: 48: 7: 40: 5: 43: 74: 3: 41: 7: 33: 62: 8: 63: 68: 50: 64: 34: 9: 51: 45: 69: 46: 37: *deer* 45: 31: 7: 1: 33: 18: 49: 47: 19: 21: 10: 70: 13: 7: 45: 58: 8: 9: 41: 10: *this a* 2: 324: *in the mean time* 46: 31: 7: 50: *e* 3: 20: 3: 6: 8: 48: 75: 41: 9: 2: *upon* 60: 19: 50: 61: 27: 26: 7: 69: 12: 19: 47: 45: 8: 24: Yesterday there was Articles of a Cessation brought me from *London*, but so unreasonable, that I cannot grant them; yet to undeceive the people by shewing it is not I, but those who have caused, and fostered this Rebellion, that desire the continuance of this warre and universall distraction; I am framing Articles fit for that purpose, both which, by my next, I mean to send thee, 219: *b* 3: 58: 51: 75: 46: 7: 3: 45: 37: 2: 189: 46: 38: 1: *g* 1: 173: 131: *which I think fit to be done a* 5: 4: 30: 3: *n* 5: *d* 3: 46: 31: 8: 10: 2: 32: 18: 64: 7: 3: 45: 31: 9: 66: 46: 32: 19: 41: 25: 48: *k* 1: *e*: 4: 67: 69: 63: I am now confident that 173: is right for my service: Since the taking of *Cicester*, there is nothing of note done of either side, wherefore that little news that is, I leave to others, only this I assure thee, That the distractions of the Rebels are such, that so many fine designes are laid open to Us, We know not which first to undertake; but certainly my first and chiefest care is, and shall be to secure thee, and hasten Our meeting, So longing to hear from thee, I rest eternally Thine.

Oxford, $\frac{12}{22}$ *March*. 164$\frac{3}{4}$. *C. R.*

THe last I received of thine was dated the $\frac{17}{27}$ *Febr.* and I beleeve none of my four last are come to thee; their dates are $\frac{13}{23}$: $\frac{23}{13}$: $\frac{15}{15}$: *Febrn.* and 20 *Febr.* or *March* the 2.

A Declaration of the Lords and Commons assembled in Parliament upon the proceedings in the late Treaty, and the aforesaid Letters.

THe Lords and Commons assembled in Parliament, being deeply afflicted with a sorrowfull sence of miserable distractions of this Kingdom, overwhelmed with the calamities of the worst kinde of War, have by severall Petitions and many humble Addresses to His Majestie, besought him by removing the causes thereof, to put an end thereunto: And although all their endeavours have not onely proved fruitlesse, but some of their Petitions received a deniall even of Audience, (a favour not denied to the Rebels of *Ireland*) which might very well justifie them before God and man, to decline any further prosecution that way, especially in a case where themselves and the kingdom are the parties injured and oppressed: Yet their bowels did so much yearn after a happy peace, that they resolved, notwithstanding their former discouragements, to break thorow all difficulties; And yet once more most humbly to represent to His Majestie the miserable distempers of His two Kingdoms of *England* and *Ireland*, and if possibly they could to encline His Royall heart, really to act what he hath so often verbally professed, *To compose those unhappy distractions, and restore His people to a blessed and lasting Peace.* And for that purpose, about the first of February last, They in all humblenesse presented their desires to His Majestie, digested into fourteen Propositions, and how reasonable and indifferent those Propositions were, they expose them to the view of the world to judge, resting assured that no indifferent man that shall duely weigh them, with the time and circumstance, will finde any thing contained in them, but what was necessary for the maintenance and advancement of *The true Protestant Religion*, *The due execution of justice*, *The preservation of the Liberty and Property of the Subject*, and *The establishment of the*

Kingdoms

Kingdoms Peace and ſafety. And becauſe they might with all ſpeed take off the burthen under which this Kingdom did principally groan, and ſtop the ſpring from whence moſt of theſe calamities did flow; They in the firſt place propounded, *That the Armies and Forces raiſed on both ſides might be disbanded*, which being effected, the Kingdom might with the more eaſe and ſecurity expect the iſſue of the Treaty. And therefore they were very carefull, that no Propoſition or circumſtance touching the Treaty ſhould precede this.

His Majeſtie having received and conſidered theſe Propoſitions, he not long after returned his Anſwer, wherein he Profeſſeth to have *given up all the faculties of his ſoul to an earneſt endeavour of a Peace and reconciliation with his people*, and deſires a ſpeedy time and place might be agreed upon, for the meeting of ſuch perſons, as His Majeſtie and both Houſes ſhould appoint to diſcuſſe thoſe Propoſitions; and ſix other Propoſitions made by His Majeſtie, and ſent with that Anſwer; whereof one was, *That to the intent the Treaty might not ſuffer interruption by any intervening accidents, That a Ceſſation of Arms and free Trade might be firſt agreed upon*; which Anſwer the Lords and Commons did take into their conſideration: And becauſe His Majeſtie did deſire that a Ceſſation might be firſt agreed upon, they did accordingly ſubmit thereunto, though they had purpoſely avoided it before; being unwilling to waſte the time about the ſhadow that would of it ſelf vaniſh with the disbanding, which they deſired might be concluded in the firſt place.

But they were willing to give all ſatisfaction to His Majeſties deſires, hoping thereby to incline him the more readily to conſent to their juſt requeſts. And according to their reſolution, they prepared ready the Articles of Ceſſation, and that with as much equality and indifferency to both ſides as poſſibly they could. They likewiſe agreed to Treat upon the Propoſitions before the Disbanding; in which Treaty, ſo much of His Majeſties Propoſitions as concerned His Majeſties Revenue, Magazines, Forts, and Ships, and the Propoſitions of both Houſes for the Disbanding, ſhould be firſt Treated of, and concluded, before the proceeding to Treat upon any other. And that this Treaty ſhould begin the fourth of March, or ſooner if it might be; and that from the beginning of the Treaty, the time might not exceed twenty dayes. They further reſolved, that a Committee of both Houſes ſhould be appointed to attend His Majeſtie

Majeſtie, if His Majeſtie ſhould ſo pleaſe, to endeavour to give him all humble and fit ſatisfaction, concerning the ſaid Propoſitions.

All which their reſolutions they forthwith by a Meſſenger diſpatched for that purpoſe preſented to His Majeſtie, and not long after ſent a Committee to attend him. And though they hoped for a ready concurrence from His Majeſtie to the Articles of Ceſſation, the Propoſition proceeding from himſelf, yet they received a return, much contrary to their expectation, where they found many ſcruples raiſed, and other Articles propounded, which being aſſented unto by them, would inevitably deſtroy the Forces raiſed by them for *The defence of themſelves, their Religion, and Liberty*, and ſtrengthen the Malignant and Popiſh Army raiſed againſt them; which they made appear by their humble Anſwer to thoſe Alterations and Articles which are herewith at large publiſhed, and therefore do referre themſelves thereunto. And in the interim, while His Majeſty was conſidering of this their humble Anſwer, they gave power to their Committee to Treat upon the two firſt Propoſitions for four dayes, which afterwards they enlarged to the end of twenty dayes. And within ſome diſtance of time afterwards, they received a very long Meſſage from His Majeſtie, which (indeed) carried not with it the face or ſemblance of a Treaty, but in plain down right language, was *a bitter Invective againſt the two houſes of Parliament, and their proceedings*; ſo that by this time it might very well appear, *That the enemies of the Kingdoms peace, ſo really proſecuted, and likely to be effected by the earneſt endeavours of both Houſes, thought it high time to caſt in their tares of ſedition, to prevent the growth of ſo bleſſed a fruit.* In this Meſſage, after very heavy Taxes, and unjuſt Scandals and Accuſations laid to their charge, forced in, quite beſides the queſtion. His Majeſtie condiſcended to the Ceſſation in manner as was agreed on, by both Houſes, to continue onely for five dayes, expecting a liberty notwithſtanding to be given the Committee *to word it according to the reall Intention*, and ſo that His Majeſtie might not be underſtood to conſent to any Impoſing upon Leavying, Diſtraining, or Impriſoning of His Subjects, to force them to Contribute, expreſly proteſting againſt it, and Inhibiting his Subjects to ſubmit thereunto, and requiring them to reſiſt; and ſo that there might not be a liberty for Seizing upon his Subjects by any Souldiers of the Army, for not ſubmitting to ſuch Impoſitions: Which offer of His Majeſties, being but a Ceſſation onely for five dayes, and ſome part of that time to be firſt ſpent by the Committee

in wording of it, and limited with a Proteſtation againſt, and a Command to, reſiſt that Power whereby their Forces muſt be paid and ſupported, which if not anſwered and juſtified, would by a conſent to His Majeſties offer, imply a declining of that power, which might indanger the Disbanding of their Army; And if anſwered, would neceſſarily have enforced them to ſome ſharpneſſe of language, which the enemies of this Treaty would eaſily take occaſion to quarrell at, and perſwade His Majeſtie to break off; which the Lords and Commons, out of their hearty zeal to bring it to a happy concluſion, did purpoſely avoid. And therefore they did not onely paſſe by theſe Scandals, and unjuſt Accuſations laid to their charge by that Meſſage, but purpoſely declined to enter into any diſpute of their power, for maintaining the Forces raiſed for their own neceſſary defence. And therefore thought it beſt to ſpend the remainder of the time in Treating upon the Propoſitions, and for that end enjoyned their Committee, as much as in them lay, to haſten it, eſpecially that part touching the Disbanding, which being concluded, would not only produce a temporary Ceſſation, but an abſolute abolition of all acts of hoſtility. The proceedings and iſſue of which Treaty, the Lords and Commons think it neceſſary to publiſh to the Kingdom, to the end the ſincerity of their endeavours, to procure a happy ſettlement of theſe miſerable diſtractions may appear.

When they perceived that the moſt part of the time preſcribed for the Treaty was like to be ſpent about the Ceſſation, they gave power to their Committee in the mean time, to Treat upon the Propoſitions in order as they had formerly Voted, and therefore beginning with His Majeſties firſt Propoſition, whereby His Majeſtie demanded, *That his own Revenue, Magazines, Towns, Forts and Ships, which had bin taken or kept from him by force, ſhould be forthwith reſtored unto him.* The Lords and Commons by their Committee, made him this humble Anſwer. Firſt, *That as to his Revenue they had not made uſe of it but in a ſmall proportion, and a good part of that was imployed for the maintenance of his own children, according to the allowance eſtabliſhed by himſelf, that what ſhould remain due to His Majeſtie they would ſatisfie, and would leave the ſame to His Majeſtie for the time to come.* They likewiſe thereupon propounded to His Majeſtie, *That he would reſtore what had been taken for his uſe, upon any of the Bills aſſigned to other purpoſes, by ſeverall Acts of Parliament, as out of the proviſion made for the Wars of Ireland*, which offer of theirs, after ſome debate thereupon with

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the Committee, was thought reasonable, and in effect concluded. And as to the Demand of the Towns, Forts, and Ships, they in 53
substance gave this humble answer; *That they would deliver up such as remained in their hands, into the hands of such persons of worth, qualitie, and trust, to be nominated by His Majestie as the two Houses of Parliament should confide in, none of which persons to be removed during three yeers next ensuing, without just cause to be approved of by both Houses, That the Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Forts, and Castles, should keep the same respectively, for the service of his Majestie, and the safetie of the Kingdom, and that they should not admit into them any Forraign Forces, or any other Forces raised without His Majesties authoritie, and consent of the two Houses of Parliament. And they should use their uttermost indeavours to suppresse all Forces raised without such authoritie and consent, and seize all Armes and Ammunition provided for any such Forces.* Unto which Offer of theirs His Majestie gave this conclusive Answer: *That His Majestie did not intend that both Houses of Parliament* April 5. fol. 5.
should expresse their confidence of the persons to whose trust the Cinque-Ports, or other His Majesties Townes and Forts, were or should be committed, but that they should have libertie to proceed against them according to Law; His Majestie claiming the nomination and free election to belong to him of right. And to the Clause concerning the admission of Forces into those Forts, Castles, and Towns; His Majestie would consent no further then these generall tearms; That is, *That no Forces raised or brought in, contrary to Law should be admitted, and that all Arms and Ammunition should be seized upon, which by the Lawes and Statutes of the Kingdom they ought to seize.* They made the like Answer concerning the Ships, *That they should be delivered into the hands of such noble Person as His Majestie should nominate to be Lord high Admirall of* England, *and the two Houses of Parliament confide in.*

To which offer His Majesty refused His consent, declaring His Resolution to insist upon what by Law was His own (as His Majesty was pleased to expresse it,) and taken from Him should be restored unto Him without any conditioning, or new lymitations to be put upon Him or His Ministers. And now the Lords and Commons will referre it to the world to judge, whither their demands were not such, and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto; wherein they may be pleased

ſed to conſider, That this was a Treaty for the disbanding of two Armies, and Forces raiſed in oppoſition each to other. That the Towns, Forts, and Ships, are a great part of theſe Forces, and of the ſtrength of that ſide, that poſſeſſeth them: That for any one ſide to demand the poſſeſſion and power thereof. and the other ſide to diſband their forces, and quit themſelves of all their ſtrength is in effect a totall disbanding of that ſide, and a continuing the forces of the other, which muſt be granted to be moſt unequall; And therefore the Lords and Commons did think it juſt and honourable, That the remaining ſtrength ſhould be put into ſuch hands, as both ſides might truſt.

Secondly, That their demand to have the Forts and Caſtles into the hands of ſuch perſons as both Houſes ſhould conſide in, was a Propoſition warranted by the frequent * Preſidents of former times,

* The fourth of *Edward* the third, *Artic.* 1. againſt *Roger Mortimer.* The King had put to him four Biſhops, four Earls, and four Barons; without whoſe conſent, or of four of them, no great buſineſſe was to be tranſacted *Rot. Parliam.* 13 *E* 3. *N.* 15, 16 The whole Navy diſpoſed of by Parliament. *N.* 13, 14 Admiralls appointed, and Inſtructions given to them. *N.* 32 Inſtructions for the defence of *Ierſey*, and a Deputy Governour appointed in Parliament. *N.* 35. Souldiers of York, Nottingham, &c. to go at the coſt of the Countrey; and what they are to do *N.* 36. A Clark appointed for payment of their wages by the overſight of the Lord *Percy* and *Nevill* *N* 38 Sir *Walter Creak* appointed keeper of *Berwick* *N.* 39. Sir *Iho de Wake* appointed to ſet forth the Array of ſouldiers for the County of *York*, and *N.* 40, 41, 42, 43 others for other Counties. XIIII. E. 3. *N* 36. The Parliament agreeth that in the Kings abſence the Duke of *Cornwall* ſhall be Keeper of *England*. *N.* 35. They appoint the Archbiſhop of *Canterbury*, the Earls of *Lancaſt. Warren*, and *Huntington* Councellors to the Duke, with power to call ſuch others as they ſhall think fit. *N.* 19. Certain appointed to keep the Iſlands and Sea Coaſts. *N* 42. The Lord of *Mowbray* appointed Keeper of *Berwick* *N* 48 Commiſſion to the L. *Mowbray* of the Iuſtices of *Lentham* *N.* 53. 54. *&c.* Commiſſions of Array to the Earl of *Angoi*, and others. XV. *E.* 2. *N.* 15. That the Chancellors, chief Iuſtices, Treaſurers, Chancellors and Barons of the *Exchequer*, &c. may be choſen in open Parliament, and there openly ſworn to obſerve the Laws. Anſwer thus: *That as they fall by death or otherwiſe, it ſhall be ſo done in the cheyce of a new, with your aſſents*, &c L. *E.* 3 *N* 10, 11. Ordered in Parliament, That the King ſhould have at the leaſt ten or twelve Councellors, without whom no weighty matters ſhould paſſe, &c. *N* 15. A Commiſſion to the L. *Percy* and others, to appoint able perſons for the defence of the Marches of the *Eaſt-Riding*. I. *R.* 2. *N.* 18, 19. The Parliament wholly diſpoſeth of the Education of the King, and of the Officers, &c. *N.* 51. Officers for *Gaſcoine*, *Ireland*, and *Anjou*, Keepers of the Ports, Caſtles &c. II *R.* 2 *Rot. Parl. pars* 2. *artic.* 39. The Admiralty. *N.* 37 In a Schedule is contained the order of the E. of *Northumb* and others, for the defence of the North Sea Coaſts, and confirmed in Parliament VI. *R.* 2. *N* 11. The Proffer of the Biſhop of *Norwich*, to keep the Sea Coaſts, and accepted in Parliament. VIII. *R.* 2. 11. 16. The names of the chief Officers of the Kingdom to be known to the Parliament, and not to be removed, without juſt cauſe. XI *R.* 2. *N* 23. No perſons to be about the King, or intermeddle with the Affairs of the Realm, other then ſuch as be appointed by Parliament. XV. *R.* 2. *N* 15. The Commons name the perſon to treat of a Peace with the Kings enemies. *Rot. Parl.* 1 *H* 4 *N* 106. That the King will appoint able Captains in *England* and *Wales*. *Stat.* 4 *H.* 4 *cap.* 31, 32, 33. printed, The Welſh men ſhall bear Office. V. *H.* 4. *N* 16. The King, at the requeſt of the Commons, removed his Confeſſor, and three other men from about him. *N.* 37. At the Requeſt of the Commons, nameth divers Privy Councellors. VII. & VIII. *H.* 4. 16 Power given to the Merchants to name two perſons to be Admiralls. VII. & VIII. *H.* 4. *N* 31 Councellors appointed by Authority of Parliament. *N* 26. Commiſſions granted in Parliament to keep the Sea. *Rot. Parl.* 1 *H.* 6. *N* 61 Chancellor, Treaſurer, and Privy Seal, appointed by Parliament. *N.* 24. Protector, and *Defenſor Regni*, appointed by Parliament. *N* 26. Privy Councellors. II *H.* 6. *N* 15. Councells named by Parliament IV. *H.* 6 *N.* 19. The Duke, by common conſent in Parliament, appoints a Deputy to keep *Berwick* Caſtle. XIV. *H.* 6 *N.* 10 The keeping of the Town of *Calice* is committed to the Duke of *Glocester*, by Indenture between him and the King, and confirmed in Parliament. XXXI. *H.* 6 *N* 41. *Rich.* Earl of *Salubury*, and others, are appointed by Parliament to keep the Seas, Tunnage and Poundage appointed to them for three yeers 33 *H* 6 *N.* 27. Diſcharged. 39 *H.* 6 *N.* 32. The Duke of *York* made by Parliament Generall *Stat* 21 *Iac. cap.* 34 Treaſurers, and a Councell of War appointed by Parliament, and an Oath directed to be by them taken. The Earl of *Eſſex* made Lord Lievt. of the County of *Yorke*, and Sir *Io. Conniers* Lievt. of the Tower, upon the deſire of the Lords and Commons this Parliament.

With very many more Preſidents, which to avoid prolixity, are purpoſely omitted.

whereby

whereby it appeareth, that many other Parliaments have made the like and greater demands, and His Majesties Predecessors have assented thereunto.

Thirdly, It was a Proposition which his Majestie himself in severall Declarations of his own affirmed to be reasonable and just; for in his Majesties Answer to a Petition of the house of Commons, *January* 28. 1641. *He* expresseth thus, For the Forts and Castles of the Kingdom, His Majestie is resolved, they shall be in such hands, and onely in such as the Parliament may safely confide in, &c. And in an other Answer to two Petitions of the Lords and Commons, delivered the second of *February*, 1641. His Majesty useth these words, *That (for the securing you from all dangers or Jealousies of any) His Majestie will be content to put in all the places, both of Forts and* Militia, *in the severall Counties, such persons as both Houses of Parliament shall either approve or recommend unto Him, So that you declare before unto His Majesty, the name of the persons whom you approve or recommend, unlesse such persons shall be named, against whom he shall have just and unquestionable exception*; which being declared by His Majesty Himself, they had no cause to suspect a deniall, being confident, that His Majesty did intend what he spoke; and if any ill Counsell could prevail to make Him recede from His word, it must be admitted the Kingdom hath more cause to be further secured.

Fourthly, For that to our sad experience, it is well known, That His Majesties power in this and other things, is too much steered and guided by the advice of these secret and wicked Councellors, that have been the Instruments of our present miseries; And though His Majesty carryeth the name, yet they will have the disposing of those places; And the Lords and Commons thought it the more reasonable and necessary to insist thereupon, Because that in the time when they were preparing their Propositions to His Majesty, it did appear unto them by a Letter written by His Majesty to the Queen, (which they have caused to be herewith Printed) that the great and eminent places of the Kingdom were disposed by her advice and power, and what Her Religion is, and consequently how prevalent the Councells of Papists and Jesuites will be with Her, may be easily conjectured; and it is to be observed who the persons designed for preferment were, even during the sitting of a Parliament. The Lord *Digby* impeached in Parliament for high Treason, and most, if not all the rest impeached in Parliament, and such as bear Arms against them.

fol. 92.

Laſtly, admitting that theſe demands touching the Ships and Forts had been made even in a time of Peace and tranquility, yet conſidering the attempts of Force and Violence made and practiſed againſt the Kingdom, and this preſent Parliament; as the Deſignes many yeers ſince to bring to this Kingdom the *German Horſe*, to compell the Subject to ſubmit to an arbitrary Government; The indeavour to bring up the late *Northerne Armie*, by force and violence to awe the Parliament; His Ma eſtie coming in perſon to the Houſe of Commons, accompanied with many Armed men, to demand their Members to be delivered up; And the Treaſon of the Earle of *Strafford*, to bring over the *Iriſh* Popiſh Armie to Conquer the Kingdom; they might very well juſtifie, nay they were in dutie bound (in diſcharge of the truſt repoſed in them by the Common-wealth) to make that Demand, and expect the performance thereof, to the end the people might be ſecured from any ſuch violence hereafter, yet (to their inexpreſsible ſorrow they muſt ſpeak it) neither the Reaſonableneſſe, the Moderation, or Juſtneſſe of the Requeſt, nor the Peace of the Kingdom (which probably would enſue thereupon, could be Arguments prevalent enough to induce His Majeſties conſent thereunto; and His Majeſties offer of thoſe Commanders that ſhall offend, to leave them to Juſtice and Triall of the Law, is an Anſwer more to ſhew His power to protect Delinquents, then ſatisfaction to a Parliament, being the due and right of the meaneſt Subject; and yet intituled here as a favour done to both Houſes of Parliament.

And though His Majeſtie is pleaſed to juſtifie His deniall, with the Allegation, *That it is His right by Law*; they muſt appeal to the judgement of all indifferent men, whether that be a ſatisfactory ground of refuſall, for admitting His Majeſties power of diſpoſing the Ships, Forts, and Caſtles, and committing them into what hands He pleaſe, to be by Law abſolutely veſted in His Majeſtie (which they by no means can admit, He being onely truſted with them for *The defence and ſafetie of the Kingdom*) as He himſelf is pleaſed to aſſume, yet would that be no ground or reaſon, for the King to refuſe His conſent to alter that Law, when by circumſtance of time and affairs, that power becomes deſtructive to the Common-wealth and ſafetie of the people: The preſervation whereof, is the chief end of the Law, and though the two Houſes of Parliament, being the repreſentative body of the Kingdom, are the moſt competent Judges thereof, yet in this

Caſe

Caſe they do not proceed onely upon an implicite Faith, but demonſtrate it both by Reaſon and Experience, *That their demand is not onely neceſſary to ſecure the Kingdom from Fear and Jealouſie, but to preſerve it even from ruine and deſtruction.*

And ſurely had this Argument of being *Their right by Law*, been prevailing with His Majeſties Predeceſſours, this Nation ſhould have wanted many an Act of Parliament which now they have, that was neceſſary for their being and ſubſiſtence. And they could heartily wiſh that the Lawes and Statutes of the Kingdom might be *The rule of what is, and what is not to be done*, acknowledging with His Majeſtie, that the ſame is the onely rule between Him and His people, the aſſurance of the free enjoyment thereof is their onely aime; but how little fruit the people hath gathered from this tree, let the wofull experience of theſe laſt eighteen yeers judge, where, in a time of Peace and Plentie, the power of iſſuing out Commiſſions, to compell Loanes; A power in the King at His pleaſure to impoſe a charge upon the people, to provide Ships, without limitation of time or proportion; A power in the Councell Board to commit men, and determine buſineſſe without diſtinction of perſons or cauſes; The power of laying Impoſition, both upon Forreign and Domeſticke Commodities, and many other Acts of oppreſſions, was under the name and colour of a *Legall right thereunto*, practiſed and put in execution; Againſt which, the Subject had no help of relief, but neceſſitated to ſubmit and lie under the burden: And when at any time a Parliament was called (being the onely cure and remedie for theſe griefs) it could no ſooner touch upon theſe ſores, but it was daſhed in pieces by a ſudden diſſolution. And now that a remedie is provided for that miſchief, by the Act for continuance of this Parliament, it is attempted by the force and power of an Army to effect that which formerly could have been done with more eaſe and readineſſe.

And now they referre it to the cenſure of any honeſt man, whether they have not the warrant of Reaſon and Neceſſitie, to demand ſome ſecuritie to enjoy that which His Majeſtie confeſſeth to be the peoples right: And in reference to that, whether their Demand of having the Forts, Caſtles, and Shipping to be put into ſuch hands as both Houſes ſhall have cauſe to confide in, was not both moderate and reaſonable.

And touching their Demand, and His Majeſties Anſwer to the Clauſe

Clauſe concerning the admiſſion of Forces into thoſe Forts, Caſtles, and Towns, they muſt ſtill ſubmit it to all indifferent judgements, how much reaſon and juſtice was comprehended in their Demand, and how little ſatisfaction they received therein: His Majeſty anſwers, *That no Forces raiſed or brought in contrary to Law, ſhould be admitted;* which they could heartily wiſh heretofore had, or hereafter would be really performed: But they deſire it may be conſidered, What ſecurity this will be to the Kingdom, to prevent the raiſing or bringing in of Forces contrary to Law; who ſhall be Judges of the Law, when thoſe Forces are once raiſed, and once brought in? Surely His Majeſty will not acknowledge the two Houſes of Parliament to be; for His Majeſty by ſeverall Declarations, hath expreſly denyed them any ſuch power: For contrary to their Declarations, fortified with Law and reaſon, His Majeſty publiſhed and affirmed the legallity of the Commiſſion of *Array*, and put the ſame in execution in moſt parts of the Kingdom; Hath authorized the Papiſts of the Kingdom to take Arms to oppoſe the Parliament, and their Proceedings, and to rob, ſpoyl, and deprive the Proteſtants of this Kingdom of their eſtates and lives; Hath by divers Proclamations and Declarations publiſhed the raiſing of Forces, and taking up of Arms by the two Houſes of Parliament, and ſuch as therein obey their Commands, for their own defence, and the defence of their Religion and Liberty aſſaulted by an Army of Papiſts, and their adherents, to be Rebellion and Treaſon; and the taking up of Arms by the Papiſts and their adherents, to be acts of duty and loyalty; And all this urged and pretended to be warranted by the Law of the Land: And they do not doubt, but by the ſame Law, perſons legally impeached and accuſed in Parliament of high Treaſon; as the Lord *Digby*, Maſter *Percy*, Maſter *Jermyn*, Maſter *Oneale*, and others, are by the Power of an Army protected from the Juſtice of the Parliament: And yet all this while the people have not onely his Majeſties promiſe, but His Oath, to govern and protect them according to the Laws of the Land. And now they appeal to the world, Whether ſuch a generall Anſwer, *That no Forces raiſed or brought in contrary to Law*, without admitting them ſo much as to declare their confidence in the perſons that are to be entruſted with the Power, be juſt or reaſonable: What is it otherwiſe in effect, then to make thoſe perſons that are the Inſtruments to violate the Law, Judges

of

of that Law (which to our ſad experience, is the wofull and miſerable preſent condition of this Kingdom.

And though, by what had hitherto paſſed, they had little cauſe to ſuſpect ſuch a happy iſſue to the Treaty as they heartily wiſhed, and moſt earneſtly laboured for, diſcovering not the leaſt inclination of complyance to their juſt Demands, but all, or moſt of them, anſwered with a denyall, and that not without ſome ſharpneſſe and acrimony; yet reſolving to be wanting in nothing of their parts, they enjoyned their Committee to preſſe on the Propoſition for disbanding, and humbly deſire His Majeſties poſitive Anſwer thereunto; which (if aſſented unto by His Majeſty) would, though not wholly take away the cauſe, and perfectly cure the diſtractions of this Kingdom, yet at leaſt take off the ſmart and pain under which both Church and State do moſt miſerably languiſh, and ſo better enable them to endure the expectation of a thorow Cure.

The Committee applyed themſelves to His Majeſty accordingly; and after ſome endeavour to protract the debate of this Propoſition, and deſire that it might be deferred to the concluſion of the Treaty; and that the time of the Treaty might be enlarged, His Majeſty being earneſtly importuned to a poſitive and ſpeedy Anſwer, to the end the Kingdom might know what they might truſt to, His Majeſty was pleaſed to return this Anſwer; That as ſoon as His Majeſty were ſatisfied in His firſt Propoſition, concerning His own Revenue, Magazines, Ships, and Forts. Secondly, as ſoon as all the Members of both Houſes ſhall be reſtored to the ſame capacity of ſitting and voting in Parliament, as they had upon the firſt of *January*, 1641. not intending to extend it to the Biſhops Votes, or to ſuch in whoſe places, upon new Writs, new Elections have been made. Thirdly, as ſoon as His Majeſty and both Houſes might be ſecured from ſuch tumultuous aſſemblies as formerly aſſembled about both Houſes; which ſecurity, His Majeſty explains, can be onely ſetled by adjourning the Parliament to ſome place twenty miles from *London*, His Majeſty would conſent that both the Armies ſhould be disbanded, and come to the Parliament; which in terms plain enough, is as much to ſay, That untill both Houſes ſhall conſent to thoſe demands, he will not disband His Army, He will continue the Warre: And what reaſon or juſtice is either in the

matter or manner of thoſe demands; Or what hope or expectation the people can have to ſee an end of their preſent calamities, they leave it to themſelves to judge. His Majeſty in the beginning of the Treaty, in His anſwer to the Propoſitions of both Houſes, was pleaſed to expreſſe how unparliamentary it was by Arms to require new Laws: but how to apply that to the two Houſes of Parliament, they muſt confeſſe they are to ſeek; they never having demanded any new Laws by Arms, endeavouring onely (what in them lieth) to preſerve and defend themſelves, their Religion, and Laws, from the violence of an Army firſt raiſed againſt them; which being laid down and disbanded, they offer to disband theirs, without any other condition. But they are well aſſured, That by this His Majeſties Anſwer, here is not onely a requiring of new Laws, but a repealing of the old, by Arms: For His Majeſty muſt have this Parliament adjourned to another place; which by a Statute made this preſent Parliament, cannot be done, without the conſent of both Houſes. He muſt have the Members diſabled to ſit there by the reſpective judgement of both Houſes, reſtored to their former capacity of ſitting and voting, or he will not conſent to disband. And how deſtructive to the Liberties of the Parliament, and dangerous to the Kingdom theſe Conditions required by His Majeſty to precede the disbanding, are, any man that hath an eye to ſee, may eaſily diſcern: As firſt, To ſatisfie his firſt Propoſition, in yeelding up the Magazines, Ships, and Forts, into the hands of ſuch perſons as His Majeſtie ſhall appoint to receive the ſame, without any admiſſion to the two Houſes to expreſſe their confidence in thoſe perſons: which being performed, were to yeeld up the principall part, if not all the ſtrength they have, and expoſe themſelves, Religion, and the Kingdom, to the mercy of a powerfull Popiſh Army raiſed againſt them; and ſubmit it to them, and to the will and pleaſure of thoſe Councellors, whoſe intereſt with His Majeſty, hath brought this Kingdom to this deſolate condition, whether they would disband or not. Secondly, To ſatisfie Him in His Propoſition touching His Revenue, wherein He demands a reſtitution of what hath been taken from Him: Which (though it would prove no conſiderable Sum, yet the time that the examination and agreement upon the accompt, would neceſſarily take up, would prove ſuch, as might very well make the Kingdom ſink under the burden of two Armies, before it came to a concluſion.

conclusion. And touching His Majesties requiring a restitution of the Members to their sitting, and Votes; It is observable that the demand is made, without distinction of persons, or offences; so that be the persons never so criminous, or the offences never so notorious, and so the Judgement never so just, yet all must be restored, or no consent to disbanding. And the reason and ground of the Demand is as observable; Because they adhered to His Majesty in these distractions: An Argument, they must confesse, much used by the Earl of *Strafford*, in defence of his Treason, who would have justified the most notorious Crimes laid to his charge, by Authority and Commands derived from His Majesty, and his zeal to advance His Majesties Service and profit: And no doubt the same reason may be used for the Judges, in case of Ship-money, and most of the Monopolists and Projectors, who by Letters Patents had not onely His Majesties Command and Authority for the doing what they did, but brought in great Sums of Money to His use and benefit, and that perhaps in times of necessity and want thereof: And so consequently, because these adhered to His Majesty, (for what they did, was for his profit) with the like reason it may be required, That all Impeachments and Proceedings against them should be repealed, and laid aside.

And surely nothing can be more destructive and dangerous both to Parliament and Kingdom, then the consenting to that Demand: For what can be more destructive to both Houses, then to restore those persons to have their former suffrage and Votes in Parliament, over the lives and Liberties of the People, and the Priviledge of Parliament, who have not onely disserted the Parliament, disobeyed and contemned their Authority, neglected the Trust reposed in them by those that sent them thither, in whose behalf they were to attend and serve there, but by private practises and open hostility have endeavoured to destroy both Parliament and people.

And it would be an objection of difficultie to answer, whether in giving a consent to this demand, the people who are to chuse these Members should not be deprived of their interest and freedom of choice and election now divolved unto them, by putting out the Members already sent; And to this they might adde, the danger of the President, and the reflection of dishonour that would fall upon both Houses, should they consent to this which

would be with the ſame breath, as it were, to give and repeal their judgement, and pronounce ſentence of injuſtice and raſhneſſe againſt themſelves; but they will not inſiſt thereupon in a caſe otherwiſe ſo full of danger and inconveniencie to the publique.

And touching the Propoſition of adjourning the Parliament twenty miles diſtant from *London*, they ſhall not need in a caſe ſo apparant, to ſpend many words to diſcover the inconveniencie and unreaſonableneſſe thereof, for, ſhould they aſſent unto it, to paſſe over the inconveniencies that would happen to ſuch perſons that ſhould have occaſion to attend the Parliament, by removing it ſo far from the reſidencie of the ordinary Courts of Juſtice, and the places where the Records of the Kingdom remain (whereof there is frequent uſe to be made) it would not onely give a tacite conſent to thoſe ſcandals ſo often preſſed and affirmed in ſeverall Declarations, That is, That His Majeſtie was forced for the ſafetie of His own perſon heretofore to withdraw, and hitherto to abſent himſelf from the Parliament, which both Houſes can by no means admit, but muſt ſtill deny. But likewiſe to that high and dangerous aſperſion of awing the Members of this Parliament, raiſed without doubt, purpoſely to invalide the Acts and proceedings thereof. And by that engine, in caſe the Popiſh Armie ſhould prevail againſt the Parliament, (which they truſt God in his goodneſſe will never permit) to overturn and nullifie all the good Lawes and Statutes made this Parliament.

And it would give too much countenance to thoſe unjuſt aſperſirons laid to the charge of the City of *London*, whoſe unexſampled zeal and fidelity to the true Proteſtant Religion, and the Liberty of this kingdom is never to be forgotten, *That His Majeſty and the Members of both Houſes cannot with ſafety to their perſons reſide there*; when as they are well aſſured, That the loyalty of that City to His Majeſty, and their affections to the Parliament, is ſuch, as doth equall, if not exceed, any other place or City in the Kingdom: And with what ſafety the two Houſes can ſit in any other place, when even in the place they now reſide, the Houſe of Commons was in apparent danger of violence, when His Majeſtie, accompanied with ſome hundreds of armed men, came thither to demand their Members, let the world judge.

And

And now the Lords and Commons muſt appeal to the judgement of all impartiall men, Whether they have not uſed their utmoſt and moſt faithfull endeavours to put an end to the diſtractions of this Kingdom, and to reſtore it to a bleſſed and laſting Peace; And whether their Propoſitions (being the way thereunto) were not ſuch as were reaſonable and neceſſary for them to make, and juſt and Honourable for His Majeſty to grant; And whether His Majeſties Anſwer to theſe Propoſitions, are ſatisfactory, or correſpondent to His Expreſſion, To have *given up all the faculties of His ſoul to an earneſt endeavour of a Peace and Reconciliation with His People:* But they muſt confeſſe, that they had juſt cauſe to ſuſpect, That this would be the happy iſſue of the Treaty; for the prevalency of the enemies thereof, who like that evill ſpirit, do moſt rage when they think they muſt be caſt out, was ſuch, that they would not proceed therein one ſtep, without ſome attempt or provocation layd in the way to interrupt and break it off; for after they had reſolved to preſent their humble deſires and propoſitions to His Majeſty, their Committee muſt not without a ſpeciall ſafe conduct and Protection from Him have acceſſe to Him, (a liberty incident to them, not only as they are Members of the Parliament, and employed by both Houſes, but as they were free born Subjects; and yet when they paſſed over this, His Majeſty refuſed a ſafe conduct to the Lord Viſcount *Say* and *Seal*, being one of the Committee appointed by both Houſes to be employed upon that occaſion, ſuch a breach of priviledge that they beleeve is not to be paralelled by the example of former times, and yet their deſire was ſuch to obtain the end they drive at, (that is a happy and laſting peace) That they reſolved not to interrupt the Treaty for that time by inſiſting upon it. And then they had no ſooner entred upon the Treaty, but a Proclamation dated at *Oxon* the 16 of *February*, 1642. entituled His Majeſties Proclamation, forbidding all His loving Subjects, and the Counties of *Kent*, *Surrey*, *Suſſex*, and *Hampſhire* to raiſe any Forces, &c. And another Proclamation dated the 8 of *February*, forbidding the aſſeſſing and payment of all Taxes by vertue of an Ordinance of both Houſes, and all entring into Aſſociations, were publiſhed in His Majeſties Name, containing moſt bitter invectives and ſcandalls againſt the proceedings of both Houſes, by ſtiling them and ſuch as obeyed them, Traitors, and Rebels, charging them under the name

of Brownists, Anabaptists, and Atheists, to endeavour to take away the Kings life, and to destroy His Posterity, the Protestant Religion, and the Laws of the Kingdoms, with many other such scandalls and aspersions; and even at this time were many designs practising against the Parliament, which in all probability were the grounds and reasons of His Majesties confidence and deniall of their just desire. Insomuch, That His Majesty in a Letter sent from Him to the Queen, and read in the House of Commons, did declare, That He had so many fine designs layd open to Him, that He knew not which first to undertake. One whereof probably was the most bloody and barbarous design upon *Bristoll* attempted (though by Gods infinite mercy prevented) during the Treaty. And whether that of Sir *Hugh Cholmleys* in betraying of *Scarborough* Castle, wherwith he was entrusted by the Parliament, to the Queens hands, and acted likewise during the Treaty. And that of *Killingworth* Castle, which should have been likewise betrayed, and a design discovered by a Letter found in the Earle of *Northamptons* pocket, slain neere *Stafford*, written to him from Prince *Rupert*, were some of the other designs mentioned in His Majesties Letter, they cannot certainly affirm, but conjecture. And when this collaterall provocations and attempts could not prevaile to make them desert the Treaty, then comes in His Majesties Message of the fourth of *April*, which they have mentioned before, charging them to abuse the people with imaginary dangers, and pretended fears, to use force and Rapines upon His good Subjects, with publishing new doctrines, That it is unlawfull for the King to do any thing, and lawfull to do any thing against Him, with malice and subtilty to abuse the people, that their pleasure is all their bounds; with many other such bitter expressions, that no man could think such an Answer could be any part of a Treaty, or at least to proceed from a heart that desired a happy issue thereunto. Notwithstanding all which, the Lords and Commons were so resolutely fixed to prosecute that Treaty, and (if possibly they could) to bring it to a blessed and happy conclusion, that they were content to lye under all these scandalls, and endure all these wounds, so they might make up the breaches of the Common-wealth; And therefore they did forbear the returning of an Answer to any of these provocations. And then when that Malignant and Popish party (too too prevalent with His Majesty) perceived their constancie

ſtancie, not to be provoked to break that Treaty of their part, they found it neceſſary to ſeduce His Majeſty to refuſe His conſent to their moſt neceſſary and juſt deſires, and to propound ſuch things as could not with the peace and ſafety of the Church and State be yeelded to, and ſo effected their own deſires. All which, The Lords and Commons thought it their duty to publiſh to the Kingdome, to the end that they may ſee that what hath been long endeavoured by ſubtill and ſecret practiſes, is now reſolved to be effected by open violence and hoſtility; That is, the deſtruction of our Laws, and the Proteſtant Religion, and introducing of Popery and Superſtition; and that there is little or no hope by any endeavour of a Treaty to procure the peace of this Church and Kingdom, unleſſe both be expoſed to the will and pleaſure of the Popiſh party, untill the Army and forces now raiſed and continued by them, be firſt deſtroyed or ſuppreſſed. And therefore the Lords and Commons do hope, that not only ſuch as are already convinced of their deſigne and malice; but even thoſe that by their ſubtile and falſe pretences have been ignorantly ſeduced to joyn with them, that love their Liberty and the Proteſtant Religion, will now with one heart and minde, unite together, to preſerve their Religion and Liberty. In the defence whereof, The Lords and Commons are reſolved to offer up themſelves, their lives and fortunes, a willing Sacrifice.

Die Sabbati, 6 May. 1643.

A *Declaration upon the Reſult of the Treaty, brought in with ſome amendments, was this day read in the Houſe of Commons, and Ordered to be delivered unto the Lords at a Conference. And it is further Ordered by this Houſe, That this Declaration ſhall be Printed, and Maſter* Glyn *do take care for the Printing of it, and that none ſhall Print or re-Print it, but ſuch as Maſter* Glyn *ſhall appoint, to the end, That by his care the Records may be rightly cited, and the Letters and other matters, Ordered to be Printed with it, be carefully Printed.*

H. Elſynge, Cler. Parl. D. Com.

Die

Die Sabbati, 6 May. 1643.

IT is this day Ordered by the Commons now Assembled in Parliament, That all the Passages of the Treaty at Oxford, *shall be Printed, and Master* Whitlock *take care for the Printing of it, and none shall Print or re-Print it, but such as Master* Whitlock *shall appoint, to the end, That the same may be truely Printed.*

Hen. Elsynge, Cler. Parl. D. Com.

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18 May, 1643.

WE do appoint Edward Husbands *to Print the said Declaration, Letters, and proceedings in the late Treatie.*

John Glyn. Bolstrode Whitlock.

FINIS.

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E 1563

Bd.w. E1563

C2328 - Gt. Brit. Sovereigns, etc. (Charles I) His Maiesties ... message. [1643]

E2437 - Gt. Brit. Parl. 1643. The votes agreed on ... [1643]

C2387 - Gt. Brit. Sovereigns, etc. (Charles I) His Maiesties letter. 1643.

C5112 - A collection of all the particular papers ... 1643.

P3571 - The proceedings in the late treaty of peace ... 1643.

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